

The Importance of Ethics in Counterinsurgency Operations

**A Monograph
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Abstract

THE IMPORTANCE OF ETHICS IN COUNTERINSURGENCY OPERATIONS.

The intent behind this paper was to develop a set of key principles that would support both planners and operators in the conduct of counterinsurgency operations. This set of principles would also be morally acceptable on an international level, which would not only support the conduct of operations but would lead to enhanced legitimacy and acceptance. The development of these principles is important as the current methods that the Coalition is employing in both Iraq and Afghanistan are not only ineffective, but they are increasing the rift in relations between the West and the Middle East.

Prior to commencing this paper I expected that I would find similarities in the COIN principles, which various military organizations were employing around the globe. I also believed that many of these organizations would have forgotten lessons of the past and tried to re-invent the wheel as they were involved in a new counterinsurgency battle. Although it was my intention to establish some universal morals by examining Western and Islamic cultures, I did not believe that there would be a great deal of commonality between the two.

The method of analysis that was employed to conduct this paper primarily involved the qualitative analysis of ethics/morality and counterinsurgency. After developing a set of ethical principles and analyzing them against Kant's categorical imperative to confirm universality¹, these principles were then combined with the proposed COIN principles to develop a set of ethically sound principles for COIN. These principles were then compared against two case studies to confirm their employability.

The results of the analysis were a set of morally sound COIN principles that provided positive results when compared against the case studies of Algeria and Malaya. These ethically sound COIN principles were then utilized to provide several recommendations for the conduct of operations in Iraq and Afghanistan. The major inconsistency between the hypothesis and the results of the analysis was that the West and Islamic cultures do in fact have significant ethical beliefs that are common to both.

The importance of the results developed in this paper is that planners now have an ethical inclusive model that they can employ during COIN. Overall this should enhance not only the conduct of the operations but drastically improve the perception and legitimacy of the counterinsurgent force.

¹ The meaning of universality employed in this paper is that of Kant's. Universality is not absolute but can be universal to various groups or categories. Immanuel Kant, "Groundwork for the Metaphysics of Morals", in Steven M. Cahn, *Classics of Political and Moral Philosophy*, (New York: Oxford University Press 2002) 752-753

TABLE OF CONTENTS

THE IMPORTANCE OF ETHICS IN COUNTERINSURGENCY OPERATIONS.....	III
TABLE OF CONTENTS	IV
TABLE OF FIGURES	VI
INTRODUCTION	1
Thesis:	2
Methodology:	3
ETHICS AND MORALITY	4
Define Morals and Ethics:	4
Western Morals and ethics:	7
God:	8
Society:	9
Individuality:	12
Nonwestern Morals and Ethics:.....	12
God:	14
Society:	16
Individuality:	19
Universal ethics:	19
INSURGENCY AND COUNTERINSURGENCY	23
Types of Insurgencies	24
Anarchy:	24
Egalitarian:	24
Traditionalist:	25
Pluralist:.....	25
Secessionist:	25
Reformist:.....	26
Preservationist:	26
Principles of an Insurgency	27
A Cause:	27
Effective Leadership:.....	27
Popular Support:.....	28
Organization:	28
Favorable Terrain:	29
External Support:.....	29
Time:	29
Concurrent Activity:.....	30
Counter Insurgency Operations (COIN).....	30
Principles of COIN:.....	31
Political primacy and a clear holistic aim:.....	32
Coordination of all elements of power:	32
Intelligence:	33
Isolate the insurgents from their support and resources:	33
Defeat the cause of the insurgency not the insurgents:.....	34
Gain the support of the populace:.....	35
Develop long-term strategies for the Host Nations:	36
Morally Inclusive Principles for COIN:	37
ALGERIAN AND MALAYAN CASE STUDIES	39
Algeria:	39
Background of the Algerian Insurgency:.....	39

Application of Proposed COIN Principles:	41
Malaya:	45
Background of the Malayan Insurgency:.....	45
Application of Proposed COIN Principles:	46
RECOMMENDATIONS	53
CONCLUSION	58
APPENDIX 1 PROPOSED UNIVERSAL ETHICS	62
APPENDIX 2 COMPARISON OF COIN PRINCIPLES	63
BIBLIOGRAPHY	64

TABLE OF FIGURES

Figure 1: Metaethical Model	6
Figure 2: The Muslim World.....	14
Figure 3: Illustrative Net Assessment of an Insurgency	35
Figure 4: Morally Acceptable principles for COIN.....	38

CHAPTER ONE

INTRODUCTION

“If you wish for peace, understand war, particularly the guerrilla and subversive forms of war.”

B H Liddell Hart, 1961²

With the fall of the Berlin Wall and the end of the Cold War, it has become widely accepted that there has been a paradigm shift in the Global Strategic environment. Almost instantaneously, the struggle for dominance between the twin superpowers of the Soviet Union and the U.S.A. ended and a uni-polar world emerged. Over the next ten years, Western militaries struggled to determine their place within this new global arena and define who exactly constituted the enemy. During this period, militaries struggled with the concepts of Low Intensity Conflict, Low Level Operations, Urban Operations, Mid Intensity Conflict, and Military Operations Other Than War. However, on September 11th 2001 the West's new adversary was defined fully when Al Qaeda flew two Airlines into the World Trade Centre and a third into the Pentagon; the new enemy was terror. Almost immediately, the Global War on Terror (GWOT) was launched with the principle aim of hunting down international terrorists wherever they were operating. To achieve its stated political and strategic aim, the coalition for the GWOT had to take the fight to the terrorist's safe havens, with the intent of destroying them, removing the regime that had harbored them and installing a government that was more acceptable to Western liberal democratic principles. However, this method of operations set the ideal conditions for the development of an insurgency. Ipso facto, insurgencies and COIN became the focus for defense forces around the world. But, insurgencies are not a new form of warfare or conflict. The Romans faced insurgencies during their quest to develop an empire, Mao Tse-Tung employed

² British Army. “B. H. Liddell Hart, in Army Field Manual Vol 1 Combined Arms Operations, Counterinsurgency Operations” (Britain: Department of Army, 2001) 1

insurgency tactics during his revolutionary war in China, and the North Vietnamese conducted an extremely effective insurgency against the USA and its allies during the Vietnam War. As the threat of insurgencies is not new, neither are the methods employed to defeat them; however, some have been more effective than others, such as the British defeat of the Communists in Malaya and to a lesser extent, Marine Corps operations in Vietnam and British operations in Northern Ireland. Despite these precedents the advent of globalization and the unrestricted flow of information around the globe mean that some of these methods are no longer as effective as they once were.

There is a real need to see the entire event including the graceful exit as a part of the war-fighters way. The result must be ethical and it must certainly be graceful at the end. If not it will be judged by the watching world as barbaric event and decidedly not to be a victory. This will limit the follow-on moves normally assigned to the victor and those are the spoils of the new century. Ethical action begets continued leadership.”³

As the employment of asymmetric means increases around the globe and our involvement in defeating insurgencies steadily increases, we must find new and more effective ways of defeating our adversaries.

Thesis:

Maintaining a balanced ethical approach that encompasses ones own national majority and the indigenous beliefs of those where the operation is being conducted, are critical to being effective in COIN.

³ Jim Channon, “Combat of the collective conscience,” (First Earth Battalion), 4

Methodology:

This paper will primarily involve the qualitative analysis of ethics/morality and counterinsurgency. It will analyze how these interrelate, and how we can modify our operating procedures to facilitate the positive aspects of these relationships in the future. To achieve this, the paper will focus on answering these questions:

Question 1: What is ethics/morality is there a publicly accepted set of ethics/morality, and can we fight wars or deal with conflict ethically?

Question 2: What is an insurgency, what are its principles and what are the principles for countering or defeating an insurgent force?

The information gained from the analysis of these questions will be integrated to answer the question of:

Question 3: How have ethics (focusing on the public conception of ethics) and COIN (focusing on the principles) interconnected in the past? (with a focus on the French counterinsurgency in Algeria and the British counterinsurgency in Malaya).

The end-state of the paper will be to provide a set of principles for COIN that encapsulate the ethical component of war-fighting, with the intention of enhancing the Coalition's ability to conduct COIN in Iraq and future theatres.

CHAPTER TWO

ETHICS AND MORALITY

The issue of morals and ethics are not new to the practitioners of the military art, but with the advent of a more open society with instantaneous media and networked technologies, they are gaining greater relevance. Gone are the days where commanders can state, “The ends justifies the means”⁴ if the means involve amoral or unethical actions. Within a globalized society, this dilemma is further increased. Commanders not only need to consider their own moral beliefs in conjunction with those of their adversary and the nation in which the operations are occurring, but what may be described as the universal morals of the remainder of the world if they are to remain legitimate and maintain support for their cause. A better understanding of morals and ethics and their impact on military operations of all natures is required. To this end, it is first necessary to develop a basic understanding of what morals and ethics actually entail.

Define Morals and Ethics:

For many people the terms morals or ethics are interchangeable. Strictly speaking however, this is incorrect. Morals refer to values and beliefs of what is right and wrong, what is good and evil, and what is just and unjust. A person’s morals are ingrained in their being from an early age and in some philosophical views, before birth. They can be a reflection of a person’s upbringing, their family, their religious persuasion or a manifestation of their society as a whole. However morals are formed, they lie at the heart of civilized society. Although Socrates / Plato is considered the father of moral theories, the two leading theories relating to morality and moral principles today are “utilitarianism” and “deontological”⁵. The British philosopher John Stuart Mill is attributed with the theory of Utilitarianism, which espouses that actions are considered

⁴ Niccolo Machiavelli, “The Prince”, in Steven M. Cahn, Classics of Political and Moral Philosophy, (New York: Oxford University Press 2002) 339

⁵ Alexander Rosenberg, “Philosophy of social science”, (Colorado, West View Press, 1995) 194

morally acceptable or not on the basis of its consequences for all those affected by it.⁶ The German philosopher Immanuel Kant is attributed with the second theory “deontological moral philosophy”, which encapsulates the philosophy that humans have certain rights that take precedence over other rights that may be of benefit for the greater good of all.⁷ An example of this theory is the Doctor’s dilemma. The doctor has the opportunity to save nine people who are terminally ill by taking the life of one person who is healthy. In accordance with Kant’s theory, it would not be right to take the life of an innocent person to save the remaining nine. Because, to take that life would compromise the greater right of the healthy person to continue to live.⁸

Ethics however, refer to the examination, justification, and decision making regarding the moral aspect of actions by individual, groups, organizations and societies in particular situations and why people make such choices.⁹ Ethics deals with the most fundamental question of all, how should you lead your life?¹⁰ The study of ethics is generally broken into two distinct areas, metaethics and normative ethics. Metaethics entails questions about the nature of morality and moral concepts, not whether murder is right or wrong, but if there is a right or wrong. Normative ethics alternatively assumes that there is a right and wrong and examines the actions that relate to these categories. According to “Elliot Sober” metaethics can be further defined by answering two simple questions:¹¹

1. Are there any ethical truths?
2. If so what make the ethical truths true?

⁶ John Stuart Mill, “Utilitarianism”, in Steven M. Cahn, *Classics of Political and Moral Philosophy*, (New York: Oxford University Press 2002) 893-926

⁷ Immanuel Kant, “Groundwork for the Metaphysics of Morals”, in Steven M. Cahn, *Classics of Political and Moral Philosophy*, (New York: Oxford University Press 2002) 752-753

⁸ Alexander Rosenberg, “Philosophy of social science”, (Colorado, West View Press, 1995) 195-198

⁹ Australian Army, “Land Warfare Doctrine, LWD 0-2 Leadership”, (Canberra: Commonwealth of Australia, 2020) 1-46

¹⁰ Elliot Sober, “Core Questions of Philosophy” fourth ed (New Jersey: Pearson Prentice Hall, 2005) 383 -384

From the answers to these questions metaethics can be broken into Subjectivism, Realism and Conventionalism, see figure 1. Subjectivism: flows from answering no to the first question and relates to people having ethical opinions, as opposed to hard ethical truths. Realism: becomes relevant when you answer yes to the first question and infers there are some ethical truths that are true regardless of anyone else's opinion or say-so. The final area is conventionalism, which answers yes to question one, but differs from realism insofar as ethical truths are true because of someone's say-so.

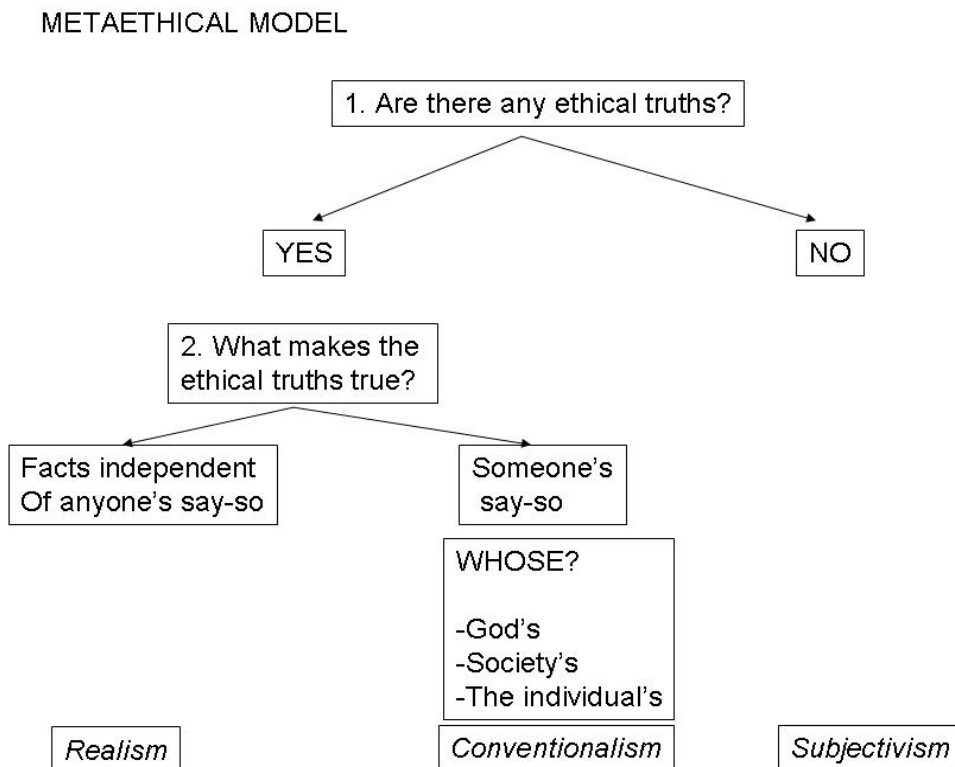


Figure 1: Metaethical Model¹²

¹¹ Ibid, 385

¹² Ibid, 385-386

As you can see from figure 1, conventionalism is further divided into three separate theories. The first is God's or Divine Command Theory. This theory defines that an act is right or wrong because God says that it is. The second is Society's or the Theory of Ethical Relativism. This theory states that right or wrong is determined by the society that we inhabit. The final theory flows from the philosophy of existentialism and relates to the preface that the individual constructs or determines his or her own morality.¹³

Although each of these theories have been both advocated and refuted by various Philosophers in the past the conventionalism theory will provide the framework with which to consider moral principles and normative ethics within Western and Non Western Societies. In addition, in order to continue it is necessary to state that there is a difference between right and wrong.

Western Morals and ethics:

It is fair to say that Western societies are historically linked to the United Kingdom and the majority of Eastern Europe, therefore it is possible to conclude that they would share similar traditions, cultural beliefs, values and ideological views. Western countries have in common a high standard of living for most citizens in comparison to the rest of the world. They are also characterized by liberal, democratic, (mostly) secular governments, the rule of law and developed bodies of laws that have some expression of rights (for their own citizens) in law. In addition, they are defined by high levels of education, and a broadly similar, popular culture which is shared by many Western or Westernized societies. Militarily and diplomatically, these "Western" societies have generally been allied with each other to one degree or another since World War II. These linkages are evident when we examine the commonalities within the normative framework

¹³ Ibid, 386-387

of God, Society and Individuals. From these comparisons it is clear that Western Societies are predominantly Judeo-Christian, they generally follow a Democratic structure of Government, and are proponents of individual and human rights. Each of these areas will be examined further in an attempt to identify common Western Morals and Ethics. The examination will also focus primarily on the USA as the leading Western power and its unrivaled, hegemonic influence on the remainder of Western Society.

God:

It could be argued that the impact or importance of religion has declined within Western Society. This may be the case; however, religion remains ingrained in the underlying fabric of Western culture. This is apparent in laws, customs and the daily interaction of individuals. An example of this is the practice of marriage where two people give themselves to one another before God. Western Society is now truly a cultural melting pot made up of people from all corners of the Globe. However, the two predominate forms of religion remain Judaism and Christianity, which share many similarities. At the core of Judaism is the Torah (teachings), which relates the word of God to Moses. Similarly, the Bible is the foundation of the Christian religion, which is divided into the two books of the Old and New Testaments. The Old Testament is primarily a repetition of the Hebrew Scriptures from the Jewish Torah and the New Testament is based on the gospels and messages of Jesus. A moral foundation of each of these writings is the Ten Commandments. The Ten Commandments, is a list of religious and moral imperatives which were originally engraved on two stone tablets which God gave to Moses on Mount Sinai. Although they form a small part of the 623 laws in the Hebrew Scriptures, they have historically been accepted as a summary of the most important ten rules of behavior, which God expects all Jews to follow. Within Christianity, they have traditionally been regarded as the foundational laws that all Christians are to conform to and most Christians continue to hold them

in high regard.¹⁴ Over the centuries, the Ten Commandments have been written, presented and interpreted in many forms. However the generally accepted Western version of these is:

- “1. *Thou shalt have no other gods before me.*
2. *Thou shalt not make graven images.*
3. *Thou shalt not use the Lord's name in vain.*
4. *Remember the Sabbath day, to keep it holy.*
5. *Honor thy mother and thy father.*
6. *Thou shalt not kill.*
7. *Thou shalt not commit adultery.*
8. *Thou shalt not steal.*
9. *Thou shalt not bear false witness against thy neighbor.*
10. *Thou shalt not covet thy neighbor's property.”¹⁵*

This set of commandments or rules reflects the conventionalist or Divine Command Theory that Western Society is greatly influenced by what God says is right and wrong. Although this ethical theme is integral to the moral values of Western Society, there are several other influences such as what society considers right and wrong.

Society:

Although we have seen that God or religion plays an important part in the moral values of society, ethical relativism maintains that an action is made right or wrong in a society by the norms that that society adopts. This is evident within Western Society through the forms or government they employ, the laws and rules they set, and the rights granted to the individuals within that society. The favored form of government within Western Society is that broadly

¹⁴ http://en.wikipedia.org/wiki/Main_Page, 1Nov 2005

¹⁵ http://www.religioustolerance.org/chr_10co.htm, 3Nov 2005

founded on the principles of democracy. This entails the people voting to elect their representatives in government for a designated period, enshrined in law. Once the elected members form a government they remain accountable to their constituents, therefore enabling the people to have a say in the running of their society. In America, this action is allowed by the actions of the Legislative Branch, which is made up of the Senate and the House of Representatives. The Senate represents each of the states equally while the House represents them according to the size of the representative's state population. Within democracies every member is entitled to vote upon reaching a suitable age regardless of religion, race or culture.

Democracy has a long history from its beginnings in Ancient Greece to the present day, and there have been many variations on the general theme. However, Western Society generally follows what John Rawls would call "a well ordered constitutional democracy"¹⁶. America is an excellent example of a constitutional democracy, having created the Constitution of the United States of America from 1787-1788. This constitution allowed for the creation of a federal government that secured the basic rights of the American people. These rights were later reflected in the amendments to the constitution from 1789-1791, commonly referred to as the Bill of Rights. Some of the key moral aspects of the Bill of Rights are contained in articles I, II, IV, V, and VIII:

"Amendment I: Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

Amendment II: A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

¹⁶ John Rawls, "The Law of Peoples" (Cambridge: Harvard University Press, 2003) 138

Amendment IV: The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Amendment V: No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Amendment VIII: Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.”¹⁷

Two more morally important amendments XII and XV were ratified in the constitution in 1865 and 1870 respectively:

“Amendment XII: Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Amendment XV: The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.”¹⁸

There is a common argument against democracy which was presented by Plato. This argument follows that, “is X wrong simply because the majority thinks that it is, or is the

¹⁷ Introduction by Pauline Maier, “The Declaration of Independence and Constitution of the United States” (USA: Bantam Books, 1998)78-82

¹⁸ Ibid, 82-84

rightness and wrongness not settled by the majority?”¹⁹ Although some would say that democracy is imperfect and that there are issues that should not be decided by a majority vote, the process is less fallible than options such as authoritarianism or dictatorship. The final area of Western Society that will be discussed is the impact of individuality on Western Morals and ethics.

Individuality:

As we have seen Religion and society can play a large part in the formulation of Western Societies moral norms, however, existentialist theory would claim that individuals must create their own moral values. The ability of individuals to follow this path can be related to the West's support of freedom and human rights (this will be examined greater when we examine the Geneva and Hague Conventions and the United Nations Charter). Within the existentialist framework Human Beings can establish their own moral norms through thought and reason independent of what God or Society details as the normative solution. Although this theory focuses on the individual choosing, it is evident that these decisions will be affected by the individual's culture, upbringing and environment. The major difference between Western Society and Nonwestern Society is that the individual has the choice to act independently within the former.

Nonwestern Morals and Ethics:

“Religious discussions will be frequent. Say what you like about your own side, and avoid criticism of theirs, unless you know that the point is external, when you may score heavily by proving it so. With the Bedu, Islam is so all-pervading an element that there is little religiosity, little fervor, and no regard for externals. Do not think from their conduct that they are careless.

¹⁹ Plato, Groundwork for the Metaphysics of Morals”, in Steven M. Cahn, Classics of Political and Moral Philosophy, (New York: Oxford University Press 2002)

*Their conviction of the truth of their faith, and its share in every act and thought and principle of their daily life is so intimate and intense as to be unconscious, unless roused by opposition. Their religion is as much a part of nature to them as is sleep or food.”*²⁰

According to Samuel P. Huntington’s “The Clash of Civilizations” the West is primarily considered as the Roman Catholic and Protestant countries of western and central Europe, together with the United States, Canada, Australia, and New Zealand. The remainder of the World can then be divided roughly into the East and the Middle East. The East is primarily focused on Asia (including China, India, Japan, and surrounding regions). The Middle East comprises the lands between the Mediterranean Sea and the Persian Gulf along with the Anatolian, Arabian and Sinai peninsulas including areas stretching from North Africa in the west to Pakistan in the east and the Caucasus and Central Asia in the north. As these societies are too complex to consider within the framework of this paper, the focus will be towards the Islamic societies within these regions, as these are the most relevant for the current global strategic environment. Using the conventionalism framework, this paper will now consider the impact of God, Society and Individuality upon the morals and ethics of Islamic Society (Geographic disposition shown in figure 2).

²⁰ T.E Lawrence, “27 articles” (From: The Arab Bulletin, 20 August 1917)1-5

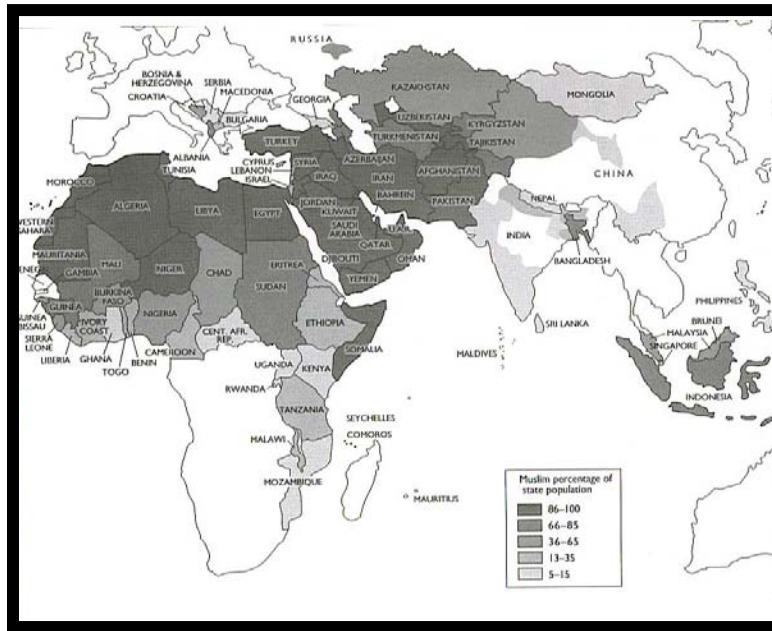


Figure 2: The Muslim World²¹

God:

The word Islam has a two-fold meanings, peace and submission to God. Islam is one of the world's fastest growing religions and is currently the predominate religion in over 56 countries.²² Incorrectly, many people see Islam as a radical religion that involves fundamentalists who are bent on destroying the World as we know it. However Islam is very similar to Judaism and Christianity and shares many of the same principles and values. The problems that are often seen with these religions are a result of how these values or rules are interpreted. Islam did not begin with the Prophet Muhammad, he was a reformer who brought people back to the original message of God which had grown out of Christianity and Judaism, but had been tainted. Mohammad sought to return people to the original message of Abraham, to return them to Allah and to purify and redefine the Arabian way of life. Within Islam the traditions of the prophet Mohammad provided guidance in all areas, from personal hygiene, dress, eating, marriage,

²¹ John L. Esposito, "Islam the straight path", 3rd ed (New York: Oxford University Press, 2005) 1

²² Figure 2, Map of Islamic Countries

treatment of wives, to diplomacy and warfare.²³ These traditions and laws were presented to Muslims in the Holy Quran, which is the book of God. The Quran is believed to be the exact word of God that was sent from heaven to Mohammad for the final time. It contains 114 chapters of over 6000 verses that were revealed to Mohammad over a twenty-two year period.

As already alluded to, the Quran is not just a religious guide for Muslims, it is the only guide for all that they do, as Islam is an all-encompassing way of life. The importance of the Quran in every day life is evident when it is seen that it is the textbook that Muslims use to begin their study of language, science, theology and law. The Quran is the source of Islamic principles and values. It consists of broad, general moral directives of what a Muslim must do. In this way the Quran is similar to the Torah of the Jews and the Bible of the Christians. Although the Quran does not mention directly the 10 Commandments, it does refer to them and urge that they be followed, as is evident in the following passage:

"Say, come, I will recite what God has made a sacred duty for you: Ascribe nothing as equal with God; Be good to your parents; You shall not kill your children on a plea of want; we provide sustenance for you and for them; You shall not approach lewd behavior whether open or in secret,

You shall not take life, which God has made sacred, except by way of justice and law. Thus does God command you, that you may learn wisdom. And you shall not approach the property of the orphan, except to improve it, until he attains the age of maturity. Give full measure and weight, in justice; no burden should be placed on any soul but that which it can bear. And if you give your word, do it justice, even if a near relative is concerned; and fulfill your obligations before God. Thus does God command you, that you may remember. Verily, this is my straight path: follow it, and do not follow other paths which will separate you from God's path. Thus does God command you, that you may be righteous."

²³ John L. Esposito, "Islam the straight path", 3rd ed (New York: Oxford University Press, 2005)1-

(Quran 6:151-153)²⁴

The religion of Islam is not just the cornerstone of Muslim society; it is completely integrated, intertwined and encapsulating of everything that a Muslim does. Therefore, this would lead one to expect that all Muslim communities are identical as they follow and implement the word of God. However, due to the varying interpretations of the word of God and the teachings of Muhammad, Islamic communities differ greatly. This divergence will be discussed in more detail within an examination of the moral and ethical norms of Islamic society.

Society:

From the time of the Prophet Muhammad, the Islamic community has undergone many fractures and splits, and to examine each of these in detail would be beyond the scope of this paper. However, the two major Sects of Islam that remain influential within today's environment are the Shiia and the Sunni. The fundamental difference between Shiia and Sunni Muslims is the Shiia doctrine of the Imamate as opposed from the Sunni of the Caliphate. The caliph was the selected or elected successor of the prophet and was the political and military leader; however, he did not have Muhammad's religious authority. Within Sunni Islam, religious authority was placed in the interpretation of the collective or community, primarily the traditional religious scholars. Alternatively within the Shiia community leadership is placed in the hands of the Imam, who though not a prophet he is a direct descendant of the prophet Muhammad or the first Imam Ali. As the leader of the Shiia community, the Imam is both a political leader and religious guide, who has the power to interpret God's word so it can be implemented into Islamic law.²⁵

²⁴ <http://www.wam.umd.edu/~stwright/rel/islam/Quran.html>, 20 Nov 2005

²⁵ John L. Esposito, "Islam the straight path", 3rd ed (New York: Oxford University Press, 2005)

Islamic law or Sharia ²⁶ eventuates from the various translations of the Quran as presented by the Prophet Muhammad. Therefore, as the Quran is the sourcebook of Islamic morals and principles, Islamic law is not just law but an ethical guide for society. *“Islamic Law is as much a system of ethics as it is law, for it is concerned with what a Muslim ought to do or ought not to do”*.²⁷ Although the various Sects within the Islamic community have varying beliefs on how the Quran should be interpreted and by whom, they do share a common belief in what is known as the Five Pillars of Islam. The Five Pillars are the indispensable or mandatory practices that all Muslims must follow. The Five Pillars are 1-the profession of faith, 2-prayer, 3- almsgiving, 4-the fast of Ramadan, and 5-pilgrimage. The first pillar is the profession of testimony of faith and involves Muslims proclaiming their commitment to God and his prophet. During the profession Muslims state, *“There is no true god except Allah, and that Muhammad is the Messenger of Allah”*.²⁸ The second pillar, prayer, begins with a purification of the body and ends with a purification of the soul, this is conducted five times a day with the individual facing Mecca. During each of the five prayers fixed verses of the Quran are recited, however, the declaration “Allahu Akbar”²⁹ “God is most Great” is recited before each one. The third pillar, Almsgiving, which entails giving payment to the poor. The amount of payment is proportional to the amount of wealth or assets a person has. The intention of the almsgiving is to aid the community and purifies the donors from selfishness.³⁰ The forth pillar, Fasting or the fast of Ramadan is conducted once a year and is a month long fast during the month of Ramadan. During the fast, Muslims abstain from food, drink and sexual activity during the hours of daylight. The fast is to signify the frailty of humans and their dependence on God; and is a time

²⁶ The literal meaning of Shiria is “the road to the watering hole,” this later took on the meaning of the “straight path” or “the straight path of Islam” which entailed the path that God has directed Moslems to follow. John L. Esposito, “Islam the straight path”, 3rd ed (New York: Oxford University Press, 2005) 78-88

²⁷ Ibid, 87

²⁸ <http://www.islamworld.net/>, 25 Nov 2005

²⁹ Ibid, 25 Nov 2005

for reflection.³¹ The fifth pillar, pilgrimage or Hajj is an undertaking that every Muslim must undertake at least once in his or her life, and involves a pilgrimage to Mecca. The Hajj allows the pilgrims to endure hardship and experience sacrifice, but also entails the purification of the pilgrims once they have completed it.³²

In some areas of the world, there has now arisen a controversial sixth pillar, the struggle or Jihad.³³ Over the ages, the interpretation of the term Jihad has differed greatly throughout the Muslim world. Originally, the term was to represent the struggle of Muslims to live up to the expectations and laws of God. It was to include the need to spread Islam through the utilization of passive means, such as education and preaching. However, for some the interpretation of the term Jihad as “Holy War”³⁴ has been used as a justification to conduct all nature of atrocities, from terror attacks to ethnic cleansing. As those that practice Jihad are primarily Islamic fundamentalists and do not adhere to the same moral principles of Islam that the majority of Muslims do, it will not be examined further in this paper.

Although Islamic values are ingrained in the Muslim societal moral norms, the tribal culture of most Muslim communities also contributes to the moral and ethical values of that society. Even though those outlined in the Quran replaced many of the tribal customs and values, there remains a rich diversity of moral and ethical norms among the various sects and sub-sects of Islam. One of these traits is the importance of family cohesion and hierarchal loyalties, respect of the elders and allegiance to other tribal members. The ties to tribal culture are reflected in the often-quoted proverb, *“I and my brothers against my cousin; I and my cousin against the*

³⁰ I John L. Esposito, “Islam the straight path”, 3rd ed (New York: Oxford University Press, 2005) 78-88

³¹ Ibid, 78-88

³² <http://www.islamworld.net/>, 25 Nov 2005

³³ “strive, effort, struggle” to follow Islam; can include defense of the faith, armed struggle holy war. John L. Esposito, “Islam the straight path”, 3rd ed (New York: Oxford University Press, 2005) 93

³⁴ Originally holy war was only to be defensive in nature and could not target Muslim, Christians or Jews. Ibid, 93

stranger”³⁵. A further example of the impact of the tribal society is in the areas of women’s rights and slavery. Although the Quran details that women should be treated fairly and that slave owners were encouraged to free their slaves, in many Muslim countries women are mistreated and slavery is still practiced.

Individuality:

Primarily resulting from the dominance of religion and the Muslims obedience to the ethical and moral norms provided from God, there is little room for existentialist theory within the Islamic community. Once an individual has chosen or been set on an Islamic path they have little or no opportunity to decide their own moral values. Within many Islamic societies deviation or innovation from the established sacred moral norms was sacrosanct and equivalent to heresy within a Christian community. This strict adherence to the accepted norms was and is still is enforced by religious police who have the right to impose fines of flogging or even amputation for theft.³⁶

Universal ethics:

From what has been discussed, it is obvious that cultures and societies will vary in many ways. Some of these variances may fall into the ethical or moral categories, however, it could be argued that between these cultures, there remains a group of fundamental ethical or moral norms, such as murder is wrong or acts against children are evil. This question is one that has plagued philosophers for centuries and there is evidence both for and against the argument. This paper will however take the path that there are moral norms within today’s global society. An example of this is the international support for such charters as the UN Charter. The preamble for the Charter clearly represents these:

³⁵ Raphael Patai, “The Arab Mind” (New York: Hatherleigh Press Book, 2002) 22

“We the Peoples of the United Nations Determined:

to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and

to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and

to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and

to promote social progress and better standards of life in larger freedom,

And for these Ends:

to practice tolerance and live together in peace with one another as good neighbors, and

to unite our strength to maintain international peace and security, and

to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and

to employ international machinery for the promotion of the economic and social advancement of all peoples,”³⁷

As there are 191 member states within the United Nations that have signed up to this Charter, it would be safe to conclude that the values it dictates are universal. These values are further emphasized in the Universal Declaration of Human Rights that was Adopted and proclaimed by General Assembly of the United Nations on 10 December 1948.³⁸ However, these values or laws are only relevant as long as the member states consider that they ought to be preserved. This is the problem with organizations such as the International Court of Justice, which does not have global support.

³⁶ John L. Esposito, “Islam the straight path”, 3rd ed (New York: Oxford University Press, 2005) 86-87

³⁷ <http://www.un.org/aboutun/charter/> UN Charter Preamble, Dec 2005

³⁸ <http://www.un.org/Overview/rights.html>, Universal Declaration of Human Rights, 2005

After conducting a comparison between Western, Non Western and current Universal ethics and moral norms (Appendix 1), the results were compared against a framework by an anonymous author titled “Ten Commandments for the Third Millennium”³⁹. An evaluation of the resulting principles was then conducted, using Kant’s test of universality as a metric.⁴⁰ The results of this analysis are the following proposed Universal/Normative Moral and Ethical principles:

1. Respect and worship any deity within your faith tradition, if you follow one. Value and support the right of others to do the same.
2. Enjoy and support legal guarantees of freedom of religious belief, religious practice, assembly and speech for all.
3. Do not use obscene speech in the name of the deities of any religion.
4. Remain true to your faith or traditions whilst respecting those of others.
5. Protect and help those that cannot help or protect themselves, particularly, the very young, the elderly, and the sick, mentally ill, physically disabled, unemployed, and poor.
6. Minimize the harm you do to others and yourself. Treat others, as you would wish to be treated.
7. Do not engage in sexual activity with another person, which is coercive, unsafe, manipulative, public, or outside of a committed monogamous relationship.
8. Do not steal the property of others, except in case of emergency (and then only if you attempt to replace or pay for it later).
9. Do not lie, either in or out of court. Be honest and truthful at all times.

³⁹ http://www.religioustolerance.org/chr_10c2.htm, Ten Commandments for the Third Millennium, Dec 2005

⁴⁰ Elliot Sober, “Core Questions of Philosophy” fourth ed(New Jersey: Pearson Prentice Hall, 2005) 437

10. Attempt to be satisfied with your current standard of living; do not obsess over the possessions of others; that path leads to unhappiness.
11. Be respectful of the laws of your society and any other that you may have contact with.

These universal moral and ethical principles will now be applied to the principles for conducting counterinsurgency operations that will be developed in the next chapter. The overall intent of this application will be to develop a set of principles for counterinsurgency operations that are more morally acceptable to the international community, whilst also enhancing the effectiveness of the counterinsurgency operations.

CHAPTER THREE

INSURGENCY AND COUNTERINSURGENCY

Insurgency is not a new form of warfare and it could be argued that there have been elements of insurgencies within the majority of modern conflicts. Over the years, insurgencies have gone by many names from guerrilla war and insurrection to revolution and civil war; nevertheless, this paper will employ only the term insurgency. As there are many names for insurgencies, there are also many definitions, however, a commonality across these definitions is that they all require the employment of more than just military means to be effective. The American Army's Counterinsurgency Manual details an insurgency as:

*“an armed political movement aimed at the overthrow of a constituted government, or separation from it, through the use of subversion and armed conflict. It is a protracted politico-military struggle designed to weaken government control and legitimacy while increasing insurgent control. Political power is the essential issue of an insurgency.”*⁴¹

Although this is a suitable definition Bard O'Neil's definition in “Insurgency and Terrorism” may be more conducive to the current operating environment.⁴²

*“Insurgency may be defined as a struggle between a non-ruling group and the ruling authorities in which the non-ruling group consciously uses political resources (e.g., organizational expertise, propaganda, and demonstrations) and violence to destroy, reformulate, or sustain the basis of legitimacy of one or more aspects of politics.”*⁴³

Insurgencies are more likely to occur in states where there are inherent social divisions based on racial, cultural, religious or ideological differences, which lead to a lack of national cohesion. Although individual insurgencies have unique characteristics, experience has shown that they follow familiar patterns. O'Neil divides insurgency into seven main categories,

⁴¹ FMI 3-07.22 “Counterinsurgency Operations” (USA: Department of the Army, 2004) 1-1

⁴² Iraq and Afghanistan (OEF and OIF)

based on the ultimate goals and political outcomes sought by the insurgents. The seven categories as defined by O'Neil are anarchist, egalitarian, traditionalist, pluralist, secessionist (separatist), reformist, and preservationist.⁴⁴

Types of Insurgencies

Anarchy:

Of the seven categories of insurgency, the most dangerous is anarchy. This is a result of the anarchist goals of eliminating any political structure, societal laws or social framework of the country that they are targeting. This problem is further enhanced by the fact that the anarchist groups generally have no intention to replace the deposed government or rule of law, leaving a power vacuum that external agencies or criminal organizations could fill. O'Neil sites several examples of this form of insurrection, with the more recent being the Black Cells, and Black Help of West Germany in the 1970s. Although this form of insurgency is viewed as the most dangerous, it is generally unable to sustain itself as it is founded in secrecy and by and large will have little public appeal.

Egalitarian:

The most common type of insurgency since World War II is the egalitarian form of insurgency. Egalitarianism seeks to impose a new system based on centrally controlled structures and institutions to provide equality in the distribution of all state resources. The predominance of this form of insurgency is that it encapsulates Marxist-Communist ideals, which has seen its implementation in numerous countries from Malaya to Peru. However, despite the egalitarian

⁴³ Bard O'Neil, "Insurgency and Terrorism"(Virginia: Brasseys, Inc,1990) 13

⁴⁴ Ibid,17-20 These are also outline almost identically in LWD 3-8-4 Counterinsurgency Operations.

ideal of equality the majority of these movements become authoritarian and repressive dictatorships.⁴⁵

Traditionalist:

Although egalitarian movements have been predominant in recent history, it is assessed by O'Neil that traditionalism movements will become the dominant form of insurgency in the near future, primarily due to the rise of Islamic Fundamentalists around the world. Traditionalist insurgents seek to overthrow or remove the established order and implement their own government, laws and societal framework that link these to past beliefs, customs and ideals. This form of movement nests well with the interpretation of Islamic law by many Muslims. It also reflects an essential theme of the Quran, that Muhammad had to bring people back to the original path of God. An example of this type of insurgency is the Taliban in Afghanistan, the Islamic Brotherhood in Egypt, and to a limited extent, the insurgency within Iraq.

Pluralist:

The next category is Pluralist Insurgency, which entails many of the values that form the basis of many Western Societies such as personal freedom and liberty. Pluralism is the most uncommon form of insurgent movement, although insurgent groups may portray themselves as Pluralist during the early stages of an insurgency to gain popular support.

Secessionist:

Secessionism differs from the previous four insurgent categories in that it is not revolutionary in its goals. The secessionist movement does not wish to overthrow or completely change the current system. It primarily wants to separate itself from an independent organization or structure. O'Neil sites the classic example of the Confederacy during the American Civil War

⁴⁵ Australian Army, "Land Warfare Doctrine (LWD 3-8-4) Counterinsurgency Operations"

as a secessionist movement. A more recent example of a secessionist movement would be the Chechen insurgency in Russia.

Reformist:

Reformist insurgencies carry the least risk for the insurgent group, as they do not directly target the ruling party, instead they fight for political, social and economic reforms. Reformist movements can also develop into a quest for autonomy; however, they are not interested in changing or challenging the authority of the current government. The situation with the Kurds in Northern Iraq may develop into a reformist insurgency if they attempt to gain autonomy.

Preservationist:

The final category is a preservationist insurgency; this insurgent movement is different from the previous forms of insurgency in that its members are happy with the current government or ruling party. Preservationist groups will attack any organization or system that endangers the current regime. Preservationists will target opposition groups that support change as long as they benefit from the current authority. O'Neil provides several examples of this, the most well known of which are the Protestant paramilitary groups that operate in Northern Ireland.

Although there are seven categories of insurgency, it is important to note that insurgent groups may not remain within just one of them. As the environment changes the insurgent movement will change their goals in order to achieve their envisioned end state. Although there are seven categories of insurgent movements, each of these shares a number of common principles, which will be discussed below.

Principles of an Insurgency

Although each is different, successful insurgencies share common principles. While many authors on insurgent movements have described the factors of a successful insurgency, the Australian counterinsurgency pamphlet “LWD 3-8-4 Counterinsurgency Operations”⁴⁶ outlines these well. LWD 3-8-4 outlines these principles as having a cause, effective leadership, popular support, organization, favorable terrain, external support, time and concurrent activity. A discussion of these principles will be conducted in the following paragraphs.

A Cause:

For an insurgency to begin it must have a reason or cause, that will draw support and allow it to develop and grow. At the beginning of an insurgency, the insurgent force is extremely small and vulnerable to opposing forces. In order to rectify this issue the insurgents cause must attract support rapidly, possibly from both internal and external agencies. For this to occur the cause may be driven by an ideology, a cultural difference, a political grievance, social segregation, or injustice. However, as an insurgent movement develops its cause may change. An example of this was during Chinese Revolution, where Mao Tse-tung decided in 1938 that the Russian model of revolution was not reaping the desired rewards. In addressing this problem Mao developed a cause that would draw on the large agricultural populace.⁴⁷

Effective Leadership:

Although an insurgency may draw on a cause that attracts the support of the poor or lower class within society, the majority of effective insurgencies have had well educated leaders. However, for this leader to be effective he must have a natural charisma that draws people to the

⁴⁶ Ibid, 1-5

⁴⁷ Richard Holmes, “The Oxford Companion of Military History” (Oxford: Oxford University Press, 2003) 545-546

cause as he will be the face of the insurgency. It is also beneficial for the leader to have a detailed knowledge of politics and the military art, particularly in the field of insurgent tactics.

Popular Support:

Popular support is often cited as the centre of gravity for both the insurgent force and the organization that is attempting to counter the insurgency. Although this may not always be the case, the support of the population is always a central component in gaining victory. As already discussed, the cause of an insurgency is vital for gaining popular support. However, if this is not effective then an insurgent force may employ fear and terror as a means to intimidate the populace into supporting, or at least providing assistance to, the insurgency. Some of the key tools for gaining popular support are propaganda and various forms of terrorism.

Organization:

For the insurgency to be effective, it must have an organization that is structured to deal with the complexity of insurgent operations. As the organization develops, it must factor in redundancy and flexibility to deal with the changing environment, whilst still being able to coordinate operations within the political, economic, social and military realms of the insurgency. Over time, the structure of the organization will grow from individual members to small groups and eventually units capable of conventional operations. The organization is most vulnerable during the early stages of the insurgency. To counter this vulnerability the organization must employ secrecy and deception to allow it to develop. A critical component of the organization is the intelligence cell, which will provide information planning, propaganda, and security. Many insurgent groups also structure themselves along the lines of a pyramid⁴⁸ or web system. This

⁴⁸ Roger Trinquier, "Modern Warfare, A French View of Counterinsurgency", (London: Pall Mall Press, translated 1964)10-13

ensures that no member knows more than two or three others, which increases the overall security of the organization.

Favorable Terrain:

As previously discussed, the insurgent force is generally weaker than its adversary, particularly during the initial stages of the insurgency. During these stages, favorable terrain is critical as it provides the insurgent force with safe havens where they can establish bases to retire to for rest, recuperation and replenishment. These safe havens also provided bases for recruiting, training and storage of equipment and supplies. In the past, these safe havens have generally been in inhospitable terrain such as mountains, jungles or forests. However, recent insurgencies have employed urban environments as safe havens and areas of operation. The complex nature of an urban environment not only provides the insurgency with safe havens, but also negates many of the adversary's advantages across the military spectrum of conflict and allows the insurgent to blend in with the population.

External Support:

The majority of successful insurgencies have received external support in one form or another. External support can include resources such as equipments or financial support, training for insurgent members, or even the provision of safe havens. Although the majority of support provided by external powers is covert, foreign governments may provide overt support by backing the insurgents in global forums such as the United Nations. Generally, when a nation provided overt support to an insurgency it significantly hampers counter insurgency progress.

Time:

Time is always on the side of the insurgent, particularly when the insurgent movement is against a Western State. From the outset, the insurgent knows that it will take a significant period

to mobilize support, train, equip, and establish the capabilities required to meet its goals, or end state. This is a significant problem for Western Society, as by nature they are impatient.

Concurrent Activity:

Although many people believe that an insurgency has three distinct phases, as described by Mao (Strategic defense, strategic stalemate and strategic offense)⁴⁹; effective insurgencies must simultaneously target all of its opponent's elements of national power. Whilst targeting the enemy the insurgent forces must continue to recruit, train and develop support for its cause. At its peak an insurgent force will be conducting recruiting and training in one area, recuperating and rebuilding in a second, conducting conventional operations in a third, employing a propaganda and terror campaign in a forth and employing external agencies to target the counterinsurgents legitimacy in another.

Counter Insurgency Operations (COIN)

Put simply COIN is the action taken by a government and its supporters to defeat an insurgency. However, as opposed to what some people may believe COIN is not just the job of the military. For COIN to be effective, it must employ all elements of national power, as seen in the definition from LWD 3-8-4,

*“Those military, paramilitary, political, economic, psychological and civil actions taken to defeat insurgency.”*⁵⁰

Andrew J. Birtle also stresses the requirement for a government to employ all of the assets and means within its power to defeat an insurgency with his definition of COIN:

⁴⁹ Bard O'Neil, "Insurgency and Terrorism"(Virginia: Brasseys, Inc,1990) 35 -36

⁵⁰ Australian Army, "Land Warfare Doctrine (LWD 3-8-4) Counterinsurgency Operations" (Canberra: Commonwealth of Australia, 1999)XII

*“Counterinsurgency embraces all of the political, economic, social, and military actions taken by a government for the suppression of insurgent resistance, and revolutionary movements.”*⁵¹

As previously discussed, the concept of insurgency is not new and neither is the concept of counterinsurgency, only the terminology and procedures are new. Until shortly after the conclusion of the Second World War, there was no requirement for the term “counterinsurgency” or the tactics it presented. This was mainly due to the belief that civilian casualties and collateral damage were acceptable requirements for the achievement of victory. This allowed military organizations to defeat insurgency through the employment of conventional methods, which was less restrictive than COIN as we have come to understand it. However, as the world has become more interconnected and developed a global conscience regarding the conduct of war, COIN has also developed in both commonality and the principles that need to be addressed to conduct it effectively.

Principles of COIN:

‘The first thing that must be apparent when contemplating the sort of action which a government facing insurgency should take, is that there can be no such thing as a purely military solution because insurgency is not primarily a military activity. At the same time there is no such thing as a wholly political solution either, short of surrender, because the very fact that a state of insurgency exists implies that violence is involved which will have to be countered to some extent at least by the use of force.’

General Sir Frank Kitson ⁵²

⁵¹ Andrew J. Birtle, “U.S. Army Counterinsurgency and Counterinsurgency Operations Doctrine 1860 -1941” (Washington: Centre for Military History U.S Army,2001) 3

⁵² British Army. “Army Field Manual Vol 1 Combined Arms Operations, Counterinsurgency Operations” (Britain: Department of Army, 2001) B-3-1

Just as nothing is certain in war, nothing is certain in COIN. Conversely, as varying insurgencies share common principles, then principles for COIN can be employed to increase the counterinsurgent's chances of success. Although the US military does not provide a set of COIN principles within its doctrine⁵³, the following principles are offered after a comparison of Australian and British doctrine, as well as from the analysis of various authors.⁵⁴

Political primacy and a clear holistic aim:

As already discussed, the military constitutes only a small component of the solution for COIN. The government must establish clear goals that employ all of the elements of National power. When considering the aim of a counterinsurgency operation the government must also take into consideration the economic, cultural and social conditions of the host nation. This will ensure that the organizations conducting the COIN will not indirectly provide ammunition for propaganda and recruiting. Whatever goals, aims, and end state the government decides on must have a holistic application to the counterinsurgency process, from start to finish. Of particular importance within this area is the fact that the solution to COIN is less military and predominately other agencies. As a result, military forces should fall under civilian control within the theater and all military actions should lead to the achievement of the overall political goals and end state.

Coordination of all elements of power:

After developing strategic goals and end states, the government must ensure that there is unity of effort from all of the participating agencies. This may not only entail elements from within the government's circle of influence, but is likely to include host nation and multinational assets. Some of these elements, such as non-government organizations, cannot be built into the

⁵³ The Joint Special Operations University has recently released a report on "Operationalizing COIN", that contains some principles. However it is not doctrine and therefore was not cited in this paper.

⁵⁴ See Appendix 2, Comparison of COIN Principles

COIN plan, but they must be taken into account as they can significantly affect the overall system.

Intelligence:

One of the most critical elements of a counter insurgency operation is the collection, analysis and implementation of good intelligence. Therefore, it is essential that the counterinsurgent force establishes and develops an effective intelligence cell as a first priority. During COIN, the majority of intelligence received will be human intelligence, which takes a significant period to establish. The formation of any intelligence cell needs to be supplemented with local assets or agencies, as they will already have the contacts required to gain effective intelligence⁵⁵. However, for the counterinsurgent to gain first hand intelligence it is essential that they gain the support of the populace. This can become a paradox, as good intelligence leads to the effective application of force, whilst poor intelligence leads to the overuse of force, and consequently the loss of public support.

Isolate the insurgents from their support and resources:

The isolation of the insurgents from their support is the indirect approach to defeating the insurgents and conceivably the most effective. The downside to this approach is that it is resource and time intensive. The aim is to deny the insurgent force access to logistics, intelligence, and safe havens, whilst also denying them the ability to recruit. In short, this approach will starve the insurgents, or as Nagl puts it “they wither on the vine or are easily coerced to surrender or destroyed by the security forces with the aid of the local populace.”⁵⁶ An effective method for applying this principle is what is commonly referred to as the oil slick or

⁵⁵ These assets or agencies may be organizations from the Host Nation (police force, local government, tribal leaders etc) or it may be foreign nationals already in country (embassies, contractors, NGO etc).

spot approach.⁵⁷ The oil spot method is a sequential approach, where a base is secured, local security forces are trained, the base is handed over to the local populace, and the counterinsurgent force moves to the next area. As with all aspects of COIN, this is by no means a military driven operation and its success will depend on significant diplomatic and economic support.

Defeat the cause of the insurgency not the insurgents:

One of the biggest mistakes that the counterinsurgent force can make is to apply conventional warfare solutions to the unconventional problem of an insurgency. This is what Nagl refers to as the “direct approach”⁵⁸. Within the counterinsurgency environment, the direct approach takes on a predominantly kinetic mentality where collateral damage and civilian casualties are acceptable costs for the defeat of the insurgent force. However, this approach predominantly turns the local populace against the counterinsurgent, resulting in less effective intelligence, a more fertile recruiting base for the insurgent, and ultimately a stronger and more determined insurgent force. Although this approach has been applied by many organizations in the past, such as the Germans against the Partisans in World War II, within a liberal democracy this approach is unacceptable.⁵⁹ This is not to say that there is no place for offensive action within the COIN environment, but more that kinetic actions need to be evaluated against the second and third order effects within the overall end state of the operation. However, in order to target the cause of the insurgency one must expand their focus from the insurgent to the whole system within which the insurgent is operating (see figure 3). When this is conducted, the counterinsurgent may determine whether the cause of the insurgency is economic, cultural,

⁵⁶ John A. Nagl, “Counter Insurgency Lessons from Malaya and Vietnam, Learning to eat soup with a Knife” (Connecticut: Praeger, 2002) 28

⁵⁷ British Army. “Army Field Manual Vol 1 Combined Arms Operations, Counterinsurgency Operations” (Britain: Department of Army, 2001) B-3-8

⁵⁸ John A. Nagl, “Counter Insurgency Lessons from Malaya and Vietnam, Learning to eat soup with a Knife” (Connecticut: Praeger, 2002) 26

⁵⁹ British Army. “Army Field Manual Vol 1 Combined Arms Operations, Counterinsurgency Operations” (Britain: Department of Army, 2001) B-1-2

political, religious or even historically based. Once the cause is determined then the counterinsurgent can focus their resources on the causes, and indirectly solve or defeat the insurgency. Although within this principle the military will primarily be involved with providing a secure environment for the other agencies to operate, they can also employ indirect methods such as psychological operations or propaganda campaigns.

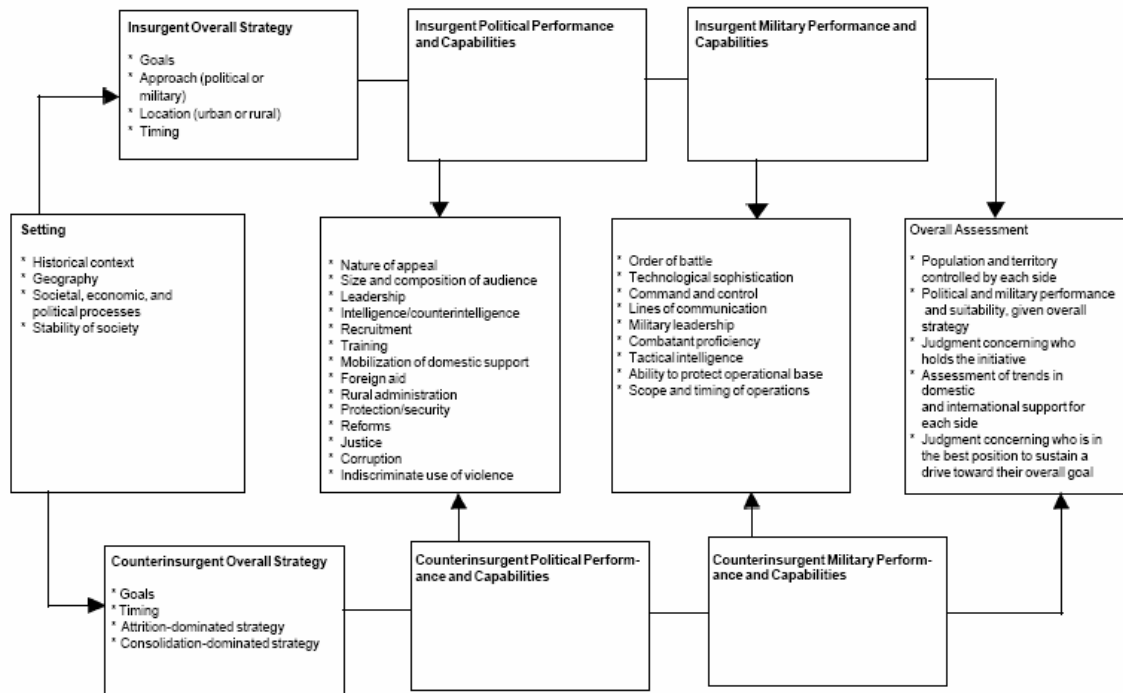


Figure 3: Illustrative Net Assessment of an Insurgency⁶⁰

Gain the support of the populace:

Given that many people will classify the support of the populace as the centre of gravity of any counter insurgency operation, clearly reflects its importance that this principle holds. Popular support will result from any action, or lack of action, on the part of any person, or organization, within the area of operations. However, as an insurgency is generally only a minute component of the population, and due to the human nature of this issue, there are two questions that the populace will want answered. Who can protect me the best, and what's in it for me?

Within an insurgency the majority of the population will at worst support, and at best tolerate, the insurgents out of fear or because they feel that they are more secure with the insurgent forces in control. There is no quick fix solution to this problem, as it is unrealistic to say that a counterinsurgent force will be able to secure a complete area of operations. Therefore, as discussed previously the counterinsurgent needs to secure critical bases, hand control over to local security forces and then expand to the next area that needs securing. Once an area is secured the second issue of what benefits can the counterinsurgent provide to the populace and the individual can be addressed. Although one would expect organizations outside of the military to step up for this task, recent operations in Iraq have shown that the military needs to be able to perform this task also. Areas that may need attention are the establishment of local and national government, repair or construction of local infrastructure, establishment and training of a local police force, and the implementation of an education system to name a few. However, at every stage of this process the counterinsurgent force must be aware of, and ensure, that they do not compromise local cultures, traditions, beliefs, customs, or laws. This can be a significant problem with Western Societies that try to enforce their own cultures, beliefs and societal processes onto a society against their will.

Develop long-term strategies for the Host Nations:

“Even if you do everything right, what is your reward? Often it means staying and assuming unfamiliar and probably unwelcome duties as administrators and tax collectors, road builders and agricultural advisers, police officers and judges, garbage collectors and public health workers.”⁶¹

Counterinsurgency operations do not stop with the defeat of the insurgent force. The counterinsurgent organization must ensure that all of the causes that lead to the insurgency have

⁶⁰ Ibid, B-3-A-1

been rectified and that the country is set up for success. Some of the conditions that may need to be in effect are a functional government at the national and local level (not necessarily a democracy), an established and effective police force, a security force that can defeat internal issues and deter or defeat external aggressors, a functioning economy, education and an operating health care system. This is by no means a complete list but it portrays the complexity and size of the tasks that need to be completed after hostilities have ceased.

Morally Inclusive Principles for COIN:

Like all lists of principles, the ones outlined above should serve only as a guide and may not suit every counterinsurgency situation. However, to enhance the employability of these principles, they will now be merged with the universal ethical and moral principles that were developed earlier (Appendix 2). These principles will then be compared against two case studies (French Algerian insurgency and British Malayan insurgency) to confirm their employability within counterinsurgent operations.

⁶¹ Max Boot, "The Savage wars of peace, Small Wars and the Rise of the American Power, (New York: Perseus Books Group, 2003) 282-283

Morally acceptable principles for Counterinsurgency		
Proposed Principles for Counterinsurgency Operations	Proposed Universal Normative Morals and Ethics	Proposed morally acceptable principles for Counterinsurgency
Political primacy and clear holistic aim: Clear direction and primacy of command is essential. In the majority of cases the military will not be in control.	1. Respect and worship any deity within your faith tradition, if you follow one. Value and support the right of others to do the same	Political primacy and clear holistic aim: 1-11*
Coordination of all elements of power: Military is only 10% of the solution all elements of power must be employed.	2. Enjoy and support legal guarantees of freedom of religious belief, religious practice, assembly and speech for all	Coordination of all elements of power: 5, 6, and 11
Intelligence: Intelligence is key to the defeat of the insurgents and will primarily involve human intelligence (support of the populace)	3. Do not use obscene speech in the name of the deities of any religion	Intelligence: 1-11
Isolate the insurgents from their support and resources: Secure the population areas and access to external support	4. Remain true to your faith or traditions whilst respecting those of others	Isolate the insurgents from their support and resources: 1-11
Defeat the cause of the insurgency not the insurgents: Rectify the issue of the insurgents and their cause become meaningless. Indirect rather than direct approach.	5. Protect and help those that cannot help or protect themselves, particularly, the very young, the elderly, and the sick, mentally ill, physically disabled, unemployed, and poor	Defeat the cause of the insurgency not the insurgents: 1, 2, 4, 5, 6, and 11
Gain the support of the populace: This remains the centre of gravity, without the support of the populace the insurgency will die.	6. Minimize the harm you do to others and yourself. Treat others as you would wish to be treated	Gain the support of the populace: 1-11
Develop long term strategies for the Host Nation: Operations are not complete once combat is over, strategies for the economic, political and overall security of the country must be in place.	7. Do not engage in sexual activity with another person, which is coercive, unsafe, manipulative, public, or outside of a committed monogamous relationship	Develop long term strategies for the Host Nation: 1-11
	8. Do not steal the property of others, except in case of emergency (and then only if you attempt to replace or pay for it later)	* Numbers indicate the universal morals and ethics that are imbedded within the counterinsurgency principle
	9. Do not lie, either in or out of court. Be honest and truthful at all times	
	10. Attempt to be satisfied with your current standard of living; do not obsess over the possessions of others; that path leads to unhappiness	
	11. Be respectful of the laws of your society and any other that you may have contact with	

Figure 4: Morally Acceptable principles for COIN⁶²

⁶² Galula, David. "Counterinsurgency Warfare, Theory and Practice" (New York, Washington, London, Fredrick A. Praeger, 1958), Australian Army, "Land Warfare Doctrine (LWD 3-8-4) Counterinsurgency Operations" (Canberra: Commonwealth of Australia, 1999), John A. Nagl, "Counter Insurgency Lessons from Malaya and Vietnam, Learning to eat soup with a Knife" (Connecticut: Praeger, 2002), British Army. "Army Field Manual Vol 1 Combined Arms Operations, Counterinsurgency Operations" (Britain: Department of Army, 2001), John L. Esposito, "Islam the straight path", 3rd ed (New York: Oxford University Press, 2005) 86-87, http://www.religioustolerance.org/chr_10c2.htm, Ten Commandments for the Third Millennium, Dec 2005, ⁶² <http://www.un.org/Overview/rights.html>, Universal Declaration of Human Rights, 2005, <http://www.un.org/aboutun/charter/> UN Charter Preamble, Dec 2005

CHAPTER FOUR

ALGERIAN AND MALAYAN CASE STUDIES

As the study of insurgency operations has gained increased attention over the last decade there have been a number of case studies that have received particular attention. These are the Insurgency against the French in Algeria and the insurgency involving the British in Malaya. The primary reason that these case studies are analyzed is that the Algerian insurgency is considered a success and the Malayan insurgency is considered a failure. This however, is not the reason that they have been selected for comparison with the proposed morally acceptable principles for Counterinsurgency; but that they are two very different insurgencies that had two very different COIN approaches applied to them. Although one of these insurgencies was considered a success and one a failure, the new COIN principles will be applied against them to determine if they could have been countered more effectively. However, before analyzing these cases a short examination of the background of each insurgency is required.

Algeria:

Algeria is located at the Northern end of Africa and shares borders with Morocco, Tunisia, Libya, Niger, Mali, Mauritania, Western Sahara and the Mediterranean Sea. At the time of the 1954 insurgency, the majority of the population within Algeria was Sunni Muslim. However, foreign nationals, predominantly French settlers, controlled the majority of the wealth and power within the country.

Background of the Algerian Insurgency:

Following the end of WWI, many countries that were colonies of the great powers Britain, France, and the Netherlands, sought their independence or at least better treatment from their colonial masters. Algeria was one such country. The war of independence began building as early as 1945, when Algerian Muslims sought French citizenship and equal voting rights.

However, the real conflict exploded in November 1954 when the National Liberation Front (FLN) began the offensive aspect of their insurgency against the French occupiers. These first attacks from the FLN targeted primarily the French civilians within Algeria, but quickly expanded to targeting infrastructure, police, military and even Muslim civilians, who supported the French administration. Over the next few years, these attacks gained intensity, which forced the French Government to increase the size of the military component within Algeria from around 60,000 to 400,000 troops.⁶³ What followed during the eight years of the war were unquestionably some of the most brutal insurgent and counterinsurgent operations in history. For the majority of the war it was simple for the FLN to find safe havens and support as they were part of the Muslim majority within Algeria and were receiving external support and sanctuary from Tunisia and Morocco. However, due to political pressure the French military began to resort to more brutal and aggressive methods, which included torture and summary executions.⁶⁴ As a result of these actions the French military were able gain more actionable intelligence , resulting in the reduction of the insurgents safe havens. Militarily the French Army's counterinsurgent campaign was so effective they had all but defeated the insurgents by as early as 1958. However, due to an international backlash against France for the methods that they were employing in Algeria, the French Government signed a ceasefire and in July of 1962 offered Algeria full independence. Overall, the French had conducted a COIN operation that was predominantly military and offensive in effect, resulting in them winning the physical battle without finding a more permanent, and internationally acceptable, political solution.

⁶³ Richard Holmes, "The Oxford Companion of Military History" (Oxford: Oxford University Press, 2003) 32

⁶⁴ General Paul Aussaresses, "The battle of the Casbah 1955-1957, (New York: Enigma Books, 2002) vii-x

Application of Proposed COIN Principles:

By applying the morally acceptable principles for COIN against the framework of the Algerian insurgency it is possible to determine where and how the French could have achieved better results, and even overall victory.

Political primacy and clear holistic aim (Universal Morals 1-11): From the outset of the operation it would appear that the French were destined to fail, as they employed a military solution, with a narrow objective (destroy the insurgents), against a political problem requiring a holistic aim. It would also appear that at no time were the French elements of National power unified under a political hierarchy and directed towards a common goal. The only evidence of political leadership was the lack of support the military received once it was evident that the methods they had authorized were not acceptable to the international community. Had the French Government provided an overall leader within Algeria to coordinate a holistic effort, not just military, against the insurgency, then the results of the operation may have been better. If a political leader, governor or even ambassador had been placed in overall command, then they would have been able to exercise some moral constraints over the other agencies. This would have ensured that the scale of offensive operations could have been minimized and immoral acts could have been avoided ensuring that both local and international laws would have been adhered to.

Coordination of all elements of power (Universal Morals 5, 6, and 11): It is unlikely that there will ever be a purely military solution to an insurgency. However, it is evident that the French COIN effort within Algeria was primarily military and kinetic in effect. The lack of coordination or even utilization of the elements of power can be closely linked with the previous discussion on Political primacy and holistic aim, as there was no central coordination of the whole operation it is difficult to utilize and employ the necessary resources to target the cause of the insurgency. For the French COIN effort in Algeria to be a total success it would have needed

to develop an approach that incorporated at least diplomatic, informational, military, economic, financial, law enforcement and intelligence assets. Through the employment of these assets the COIN effort would have been able to address the overall cause of the insurgency and not just the insurgents themselves. The coordination of each of these elements of power would have also allowed the operation to address moral issues such as protecting and assisting those within the country that required assistance. Through the coordination of these power groups and in conjunction with a central point of command, the level of violence could have been limited whilst remaining within the law to achieve a central aim. This approach would have not only satisfied international law, supporting the legitimacy of the operation but would have allowed the operation to take into account and where possible remain within the local laws of the Algerians, which in turn increases public support.

Intelligence (Universal Morals 1-11): Often considered the most crucial and often the most difficult to achieve, effective intelligence is the backbone of any military operation but more so any counterinsurgent operation. It would be difficult to argue that the French military did not have effective intelligence during their campaign in Algeria, however, it would not be difficult to present that the way they gained this intelligence was immoral and illegal. Within COIN, intelligence is not primarily collected using satellites or unmanned aerial vehicles; the main source is from human intelligence. Human intelligence collection is difficult, extremely slow and sources often take a significant period to establish and develop into a viable intelligence network. In the past, torture and interrogation may have been acceptable methods of gaining intelligence, but in a globalized and more accountable environment, such as Western cultures, these are not accepted practices. A more effective and morally acceptable method of gathering intelligence is to foster sources within the local community. This fostering of intelligence sources can be achieved through gaining the support of the populace, through economic initiatives or even through their own established hierarchy within their community. It is obvious that intelligence that is given freely is more reliable than that received through immoral measures, as after a

significant period of interrogation or torture people will say they wear women's underwear to stop the process. Although this process for gaining intelligence can be slow initially, it is more likely to take into account the local laws, custom, needs and culture of the indigenous population.

Isolate the insurgents from their support and resources (Universal Morals 1-11): Within COIN the isolation of the insurgents from their support and resources needs to occur on many levels and will require the utilization of all elements of national power. On the political level, isolation of the insurgents is achieved by supporting the legitimate government whilst denouncing the insurgents cause. Further isolation can be achieved by using informational campaigns or psychological operations to win the support of the populace whilst targeting the image of the insurgent. One could argue that the physical isolation of the insurgents by the French military in Algeria was extremely effective. However, some of the methods that they employed would and were considered unacceptable. Although aggressive and forceful measures are required when dealing with the insurgents and protecting the local populace, consideration must be given to the second and third order effects of the counterinsurgents actions. If the actions being conducted are illegal or are likely to harm the support or legitimacy of the operation then other measures need to be considered. The previously discussed oil spot method provides an effective approach for the isolation of the insurgents from the populace. This approach allows the control of areas to be handed over to local security force whilst not trying to bite off more than one can chew.

Defeat the cause of the insurgency not the insurgents (Universal Morals 1, 2, 4, 5, 6, and 11): One of the major problems with counterinsurgent operations is that the counterinsurgent makes destroying or defeating the insurgent their top priority. This was the case for French military forces in Algeria, who applied a primarily offensive solution to a problem that could have been solved with less kinetic action. As opposed to killing every insurgent, the French forces should have targeted the root causes of the insurgency. If they had done this they would have determined that the insurgents main issues were that they wanted more religious freedoms within the state, equal rights and more say in the running of the country. These issues could

have been addressed through other channels, primarily diplomatic, which might have reduced the level of conflict within the country. This in turn may have reduced the casualty count of the conflict from 100,000 French and 1 million Algerian⁶⁵ casualties to a more internationally acceptable level. Other approaches to defeating the cause of the insurgency could have included economic support to the less prosperous component of the country, which may have removed support and a recruiting base from the insurgent forces.

Gain the support of the populace (Universal Morals 1-11): Often cited as one the most critical aspect of COIN for both the insurgent and counterinsurgent is the support of the populace. Without this support, it is extremely difficult for the counterinsurgent to gain the upper hand over the insurgent, particularly in the areas of intelligence and physical isolation of the insurgents. During the Algerian Insurgency it was evident that the French forces were not concerned with gaining the support of the local populace as the methods that they employed continued to persecute, harm and offend large sectors of the community. Had the French forces attempted to gain the support of the indigenous population they may have been able to defeat the insurgency during its early stages, which in turn would have removed the need to adopt some of the harsher tactics they employed as the situation deteriorated. Within Algeria, winning the support of the populace should not have fallen to the military; this aspect of the operation should have been established early and involved all elements of national power, primarily diplomatic, economic and informational.

Develop long term strategies for the Host Nation (Universal Morals 1-11): As history has shown and what is clearly evident now in Iraq; operations do not cease at the end of combat phase. Governments must have a plan that encompasses a long term strategy for the rebuilding of the host nation's political, social, economic and security structures. The counterinsurgent force must ensure that the Host Nation is set up for success within its local environment and upon the

⁶⁵ Richard Holmes, "The Oxford Companion of Military History" (Oxford: Oxford University

international stage. However, in establishing this stability and growth the counterinsurgent organization must focus more on the needs, culture and concerns of the host nation, as opposed to enforcing their own strategy on them, such as democracy. This did not occur in Algeria, as the French military was primarily focused on the kinetic approach of destroying the insurgents. Even if the French government had not brokered a deal to end the unrest, it is unlikely that Algeria would have stabilized and developed into a prosperous country, as a long term strategy had not been followed from the outset of the operation. This is clearly evident from the level of unrest that the country has continued to experience following their independence in 1962.

Malaya:

Malaya is encompassed by what is now known as the Federation of Malaysia located in South East Asia. Within this Federation, Malaya forms what is now referred to as Peninsular Malaysia or West Malaysia. Peninsular Malaysia covers an area of approximately 50,000 square miles and shares a northern border with Thailand and a land bridge to the south with Singapore. At the time of the 1948 insurgency, the population of Malaya was around 5.3 million with 49 percent being Malay, 38 percent Chinese and 11 percent Indian. However, approximately 12,000 foreign nationals, predominantly Europeans, controlled the majority of the wealth and power within the country, primarily from the tin and rubber industries⁶⁶.

Background of the Malayan Insurgency:

The Malayan Insurgency is believed to have started between March and June 1948. However, the foundations of the insurgency could be traced back as far as the 1930's with the formation of the Malayan Communist Party. Other major factors affecting the development of the insurgency were the occupation of Malaya by the Japanese during World War II and the

Press, 2003) 32

British decision to create the Malayan Union in 1946. Of these contributing factors the formation of the Malayan Union probably contributed the most to the commencement of the insurgency, as it allowed the Malayan Communist Party to improve its position and following by targeting the Malayan opposition to allowing the Chinese and Indian populace to be given the ability to vote and equal rights⁶⁷. The offensive phase of the conflict exploded in June of 1948 when the Malayan Communist party began targeting European Settlers and Chinese workers with a campaign of murder and arson. From the outset of the insurgency the Malayan Communist Party intended to employ Mao's principles for the effective conduct of an insurgency. They were ready to undertake a protracted campaign of terror, focusing primarily on the Foreign Nationals, which would eventually lead to the withdrawal of British forces allowing for independence and the establishment of a communist state of Malaya.

Application of Proposed COIN Principles:

Although the Malayan Insurgency is commonly referred to by many as an example of a successful counterinsurgency operation, there are many areas within which it could have been conducted more effectively. The majority of these deficits fall within the initial stages of the counterinsurgency effort, 1948 -1952 and prior to the commands of Lieutenant General Sir Harold Briggs and General Sir Gerald Templer. By applying the morally acceptable principles for COIN against the framework of the Malayan insurgency it is possible to determine the areas that the British could have improved on.

Political primacy and clear holistic aim (Universal Morals 1-11): Although during the later stages of the counterinsurgency effort the British were able to exercise unity of effort and command through Lieutenant General Sir Harold Briggs, and even more so through General Sir Gerald Templer, at the commencement of the operation forces lacked direction and focus.

⁶⁶ John A. Nagl, "Counter Insurgency Lessons from Malaya and Vietnam, Learning to eat soup with a Knife" (Connecticut: Praeger, 2002) 60

Although the British had the ability to achieve political primacy from the outset, through the utilization of Sir Edward Gent, the High Commissioner, the following quote indicates his focus and recommended solution to the situation.

“The police and Army should continually be on the offensive in as large numbers as possible, and available fully trained police and troops should be used to the least extent necessary on static jobs. The main campaign must be directed to an active offensive routing out of suspects.⁶⁸”

From the outset of the operation the political component of the counterinsurgency needs to remain foremost with the subordination of the military effort to the political needs. This political effort needs to consider all of the second and third order effects of any actions that will occur when developing a clear and holistic aim. To achieve this, an examination of the cultural, religious, and societal morals need to be measured, this will ensure that the needs and concerns of the local populace are taken into complete consideration. The overall aim of the operation also needs to consider the long term aspect of the required actions; generally this will allow focus to move away from primarily kinetic options.

Coordination of all elements of power (Universal Morals 5, 6, and 11): As already discussed it is essential that all elements of national power are coordinated towards the achievement of an holistic aim and long term strategy. If these elements are allowed to operate independently there is a high chance that they will not only over commit resources and assets in redundant areas, but there is the chance that they will undermine the overall effort of the COIN from second and third order effects of their actions. If the elements of national power are effectively coordinated then the issue of conducting a primarily military or economic campaign will be avoided. During the initial stages of the Malayan Insurgency it is evident that the British failed to achieve the required coordination of their available assets and as a result police and

⁶⁷ Ibid, 62

military assets were employed in a primarily offensive operation. It is assessed that had the British targeted the needs of the Malayan people (all ethnicities), then they would have been effective in the employment of their diplomatic, informational, military, economic, financial, law enforcement and intelligence assets. Through this evaluation and coordination of national assets the British may have been able to address the cause of the insurgency and not just the insurgents, allowing for a more rapid and efficient endsate to be reached.

Intelligence (Universal Morals 1-11): The importance of effective intelligence within COIN has already been discussed along with the requirement to achieve this at the earliest stages within an operation. This however, was not the case for the British during the Malayan Insurgency, where it could be argued that they failed to achieve a functional intelligence network until General Sir Gerald Templer modified the Intelligence Service both organizational and operationally. This lack of effective intelligence is evident from the quote from General Sir John Harding, Commander in Chief, Far East Land Forces in April 1950:

“Our greatest weakness now is the lack of early and accurate information of the enemy’s strength, disposition and intentions. For lack of information an enormous amount of military effort is being absorbed on prophylactic and will o’ the wisp patrolling and jungle bashing and on air bombardment. Information services must depend almost entirely on the police who in their turn must depend on the confidence of the people, especially the Chinese, and the civil administration generally and its power to protect them⁶⁹.”

As General Sir John Harding indicates, it is essential to gain the support of the local populace in order to foster intelligence sources. As already discussed during COIN the majority of intelligence will be gained from human sources, therefore it is necessary to focus resources to address the needs of the populace. It could be said that a carrot and stick approach needed, the utilization of more carrot, as opposed to the early British approach that favored more stick. It is

⁶⁸ Ibid, Sir Edward Gent in Kuala Lumpur on 22 June 1948, 66

also important not to offend the populace by being culturally or ethically insensitive. It is not appropriate to enforce the ways or beliefs of one culture onto another regardless of the good intentions that may be involved. Although the British were forced to deal with three diverse cultures this did not appear to be a major issue during the insurgency. However, one way to ensure that these issues remain under control is to establish an intelligence cell from the local populace, this not only gives you direct access to the local populace but ensures that the operations remain ethically sound.

Isolate the insurgents from their support and resources (Universal Morals 1-11): As previously discussed the counterinsurgent must isolate the insurgent to ensure that they are starved of resources and support. This however, was not the case for the British during the early period of the Malayan Insurgency, as forces focused primarily on the physical isolation of the insurgents from the population. This system was improved in 1950 when with the implementation of the Briggs plan, when Chinese squatters, the insurgent's major support base, were relocated into new villages and civil military relations were addressed.⁷⁰ Whether the process of relocation and containment of the Chinese squatters would be acceptable within today's society is a question that could undergo considerable debate; however for the purposes of this paper it will be considered the least optimal process. As already discussed there are numerous ways to isolate the insurgents that would have been less offensive, more effective and more morally acceptable. For example, had the counterinsurgent forces involved the local community more in the process they would have been able to directly address their needs whilst gaining valuable first hand information. To defeat an insurgency you must engage a community in the process, immerse yourself in their culture and recognize what is morally important to them. This will then enable the counterinsurgent to conduct the next step of defeating the cause of the insurgency and not focusing primarily on the insurgent.

⁶⁹ Ibid, 73

Defeat the cause of the insurgency not the insurgents (Universal Morals 1, 2, 4, 5, 6, and 11): As discussed the direct approach to defeating an insurgent is generally not the most effective or acceptable method. This however, was the mistake that the British initially made in Malaya when they undertook an offensive approach to ending the insurgency. During the early stages of the operation both the military and police forces focused on locating and destroying the insurgent forces through aggressive patrolling and cordon and search operations. During this time the populated areas were left insecure, allowing the insurgents not only access to the populace but freedom to attack them as they desired. Had the British attempted a more indirect approach they would have determined that the cause of the insurgency was not the Malaysians desire to become communist, but their desire for independence, which they eventually achieved. If the British counterinsurgent force had presented the populace with a plan for independence at the commencement of the operation then it is highly likely that the insurgency would have been defeated before it could establish itself. By addressing the needs of the community and targeting the roots of their discontent, it will often lead to a more peaceful and less kinetic solution to the issue at hand. Through the implementation of this process we enable the achievement of the next principle, gaining the support of the populace.

Gain the support of the populace (Universal Morals 1-11): As we have seen this is often the most crucial component of the counterinsurgency effort. Many state that the support of the populace can be seen as the centre of gravity for both the insurgent and counterinsurgent forces. During the initial stages of the Malayan emergency the support of the populace was not identified as a critical component of the operation. Had the British forces recognized the importance of the local population and in particular the Chinese squatters, the counterinsurgent operation may have been brought to a more rapid and peaceful conclusion. When attempting to gain the support of the populace the COIN forces must ensure that they consider the second and third order effects of

⁷⁰ Karl M. Hack, "The Malayan Emergency" in 20th Century British History" (Britian,1993) 302

their actions and not just focused on the immediate results. This may include amending operations to ensure that cultural, religious and social factors are taken into consideration. For the populace to give their support or choose a side they need to understand what benefits they will receive and be convinced that they will be secure from harm. This may require the COIN forces to imbed themselves within the community to demonstrate that they are sharing their risks, accepting their needs and are serious about seeing the operation through to its eventual conclusion. Forces will not achieve acceptance within a community if they establish themselves within fortified locations and fail to interact fully with the local populace.

Develop long term strategies for the Host Nation (Universal Morals 1-11): Modern history has demonstrated that planning cannot cease at the conclusion of offensive operations. Therefore, as with all operations an organization conducting COIN must instigate these operations with a long term holistic strategy in place. Initially this was not the outlook that the British had when they embarked on their quest to defeat the Malayan insurgency. At the outset of the operation their major aim was the destruction of the communist insurgents and the uninterrupted continuation of economic prosperity for the colonial powers within the region. If they had considered the long term strategy of granting independence to Malaya, as they had done with many of their previous colonies, then they could have focused assets to the achievement of this endsate from an early stage. When a counterinsurgent force is developing a long term strategy it must include the local populace in order to ensure that all of their moral requirements are met. There is no operational logic in applying a strategy of converting a state, and wider society, towards liberal, democratic values if this contradicts the moral and social fabric of that nation's culture and society. If a long term strategy is established from the start and dictates the conduct of the operation, then this will become an enabler for the transition of the counterinsurgent elements out of the host country at the conclusion of the operation.

Although within the circles of counterinsurgent practitioners, the insurgencies of Algeria and Malaya are often presented as what not to do and what to do respectively, it is evident that

they could both have been conducted more effectively through the application of the above recommended principles. However, these principles are not suggested as a silver bullet for counterinsurgency operations, since all insurgencies will have their own intricacies and logic. They are a starting point for sound application of strategy.

CHAPTER FIVE

RECOMMENDATIONS

It is clear from even the two limited examples described in this paper that organizations who are endeavoring to undertake counterinsurgent operations must apply a morally sound set of counterinsurgent principles in order to be successful. Such an argument is true for major ongoing counterinsurgency operations in Iraq and Afghanistan. When considered from a moral perspective, both operations would benefit from improvements to the current prevailing strategic and operational approach. These recommendations will be framed against the shortfalls recently identified by Brigadier Nigel Aylwin-Foster from in Iraq, but are equally applicable for Afghanistan.⁷¹ While these recommendations are not all encompassing they may provide a starting point for planners to consider improvements to the way they operate both now and in the future. The problems identified by Brigadier Aylwin-Foster that are relevant to this discussion were:

- a. The U.S. military's tendency towards favoring the uncompromising destruction of the enemy's forces.
- b. The cultural insensitivity of the U.S. forces.
- c. The U.S. Army's inability to employ nonkinetic measures.
- d. The U.S. military's over reliance on technology.

Prior to discussing the issues raised by Brigadier Aylwin-Foster, it should be noted that he was also full of praise for the efforts and results that the U.S. Army and its Coalition partners were achieving in Iraq. It is also important that the Brigadier's intent in writing his paper was to share candid observations with coalition partners for the benefit of all. However, when someone raises or makes apparent the inadequacies of an organization it is highly likely that there will be

⁷¹ Brigadier Nigel Aylwin-Foster, British Army, "Changing the Army for Counterinsurgency Operations" in Military Review (Britain: Seaford House Papers, 2005) 2-15

objections and resistance. This was evident in the soon to be released paper “Thank You Brigadier”⁷² by Colonel Kevin Benson the Director of the School of Advanced Military Studies. Although Colonel Benson’s paper focuses primarily on the planning and higher command and control aspects of Brigadier Aylwin-Foster’s article it is evident that there is significant disagreement on what has been presented. While Colonel Benson raises some valid points the majority of the issues that he raised are beyond the scope of this paper and as Brigadier Aylwin-Foster has had more recent service in Iraq, this paper will continue to focus on his recommendations.

The first key point that Brigadier Aylwin-Foster raises is the U.S. Army’s predisposition to favor operational measures based on the tactical destruction of insurgent forces. As history has shown the need for the counterinsurgent to destroy the insurgent force is not a new approach to COIN, and is clearly evident from the examples contained in this paper. However, the majority of countries that have been involved in COIN have adapted their methods to primarily target the cause of the insurgency and not the insurgents. The U.S. has not been able to fully make this transition, even after their experience in Vietnam, which has resulted in their approach in Afghanistan and now Iraq. As Brigadier Aylwin-Foster stated, this approach has been embedded in the very psyche of the U.S. Army as an organization. Following the withdrawal of forces from Vietnam the U.S. military focused its efforts on preparing for the conventional fight expected by Cold War strategists. As a result, operational and tactical doctrine was dominated by Jominian thinking.

As discussed, an approach that relies on the physical destruction of insurgent forces is not the best way to defeat an insurgency, and subsequently set the conditions for the withdrawal of Coalition forces from Iraq. The way ahead needs to focus on the cause of the insurgency and the military approach needs to be securely nested with the political endstate. It is widely stated that

⁷² Colonel K. C. M. Benson, U.S. Army, “Thank You Brigadier, Learning to turn the other cheek”,

the military component of COIN should only be fraction of the solution and it arguable that even this minor element should primarily be focused on providing security to the local populace. That is not to say that the military is not involved in the wider COIN campaign, but that they need to support the remaining elements with targeting unemployment, developing infrastructure satisfying the basic human needs of the populace. If one removes the support base of the insurgency it will wither on the vine. Throughout these actions it is necessary to understand the Host Nations history and culture, not just minor points of physical customs such as not exposing soles of the feet in many Muslim countries. This cultural understanding can start to be achieved by getting out of fortified bases and interacting with the community. Unacceptable behavior at home does not become acceptable abroad. To assume so is, arguably, not only culturally insensitive, but institutionally xenophobic and racist.

This leads to the second of Brigadier Aylwin-Foster's concerns, that being the cultural insensitivity of the U.S. forces. Although Brigadier Aylwin-Foster also stated that this was not an issue with the majority of the Coalition forces it only takes "one bad apple to spoil the barrel". These "bad apples" do not have to be of the scale of Abu Ghraib or the shooting of wounded prisoners, as terrible and destructive as these can be. But, incidents such as a night time raid that has no consideration for the importance that the Iraqis place on home, family and the husband's need to protect this. Although these operations are part and parcel of COIN, it does not take much for the members involved to be polite, courteous and respectful of the owner's property, once the area is secure. Such small actions can have a dramatic effect in the area of operations, by either enhancing or undoing all of the good work that the counterinsurgent force may have done up to that point in time. Another example of understanding the Iraqi culture is their perception of time. This is different to that of Western cultures that deal with short term deadlines and are driven by the clock. In contrast, the Iraqis view time slowly, at least in years,

generations, and centuries. This is important if one doesn't want to offend the locals by putting Western deadlines and time pressures on them. As a result, we can appear impatient, intolerant and in some cases slightly mad heathens in denial of God's will. A third area is the need of the males within the populace to be able to provide for their families. To achieve this they must be given the opportunity to gain employment. Although, these were just a few examples of how coalition forces could be more culturally sensitive whilst operating within Iraq there are many more areas that need to be addressed. However, the real issue is that if we start "a war of choice", as we did in Iraq and Afghanistan, then we assume the moral high ground. We basically declare that "we know better" and are "better people with better values". If we then fail to live up to that where does it leave us? To be effective in this operation we need to understand and operate without offending the local populace's culture, and remember that the negative actions of the few can negate the positive actions of the many.

The next area that Brigadier Aylwin-Foster discussed was the U.S military's inability to employ nonkinetic measures in their quest to defeat the insurgency. Although this ties in closely with the U.S. Army's desire to destroy the insurgent force it requires separate attention. As previously discussed, the U.S. has been conditioned over a number of decades to conduct high intensity conventional operations. It is therefore no surprise that when given the choice there follows an instinctive reversion to training, and for the U.S. military this is defined by the conventional fight to defeat a symmetric enemy. However, as Brigadier Aylwin-Foster alludes to, that is not the most effective way to conduct a counterinsurgency. As previously discussed, the military is only part of the solution and it needs to support all of the remaining elements of national power in their endeavors. This may range from security of assets or convoys to food distribution and health support. Although the military's primary role in COIN is to stabilize the environment for the remaining agencies to operate, it must be ready and able to fill their requirements when they are not available. This means that the soldiers of today need to become "jack of all trades", they need to be a negotiator, a diplomat, a town mayor and a war fighter all at

once, they need to be true warriors. For the Coalition to be successful within Iraq and future COIN operations, the tactically driven, symmetric response needs to be subordinated to options other than force.

The final area that Brigadier Aylwin-Foster raises that is relevant to the discussion is the fact that the US military has become over-reliant on technology to achieve victory. This reliance on technology becomes evident when the influx of equipment such as the unmanned aerial vehicles or the commander's ability to observe operations from the operational to the tactical level from the comfort of his command post is observed. Although this employment of technology has reduced the risks to the soldiers that are associated with conducting foot patrols and establishing human contacts, it has also isolated them from the local populace. Within COIN operations it is extremely difficult to win the hearts and minds of the populace if you are not interacting with them on a regular basis. The second issue with the U.S. over-reliance on technology is that they have forgotten the importance and lost the skills of gaining human intelligence. This is not a skill that is easily regained and commanders need to remember that to gain human intelligence will take time. The U.S. military needs to remember that technology should be an enabler and not an inhibitor to the conduct of effective operations. When operating in an insurgent environment, the counterinsurgent needs to interact with the community, share their risks and learn first hand what their issues and concerns are, one can't defeat an insurgent by sitting in a command post using unmanned aerial vehicles to conduct precision strike operations.

Although these recommendations have only addressed a small number of the issues in Iraq and Afghanistan there are many more that the Coalition needs to address if it hopes to be successful. For all the good work that the Coalition, and in particular the U.S., is doing in Iraq it is frustrating to observe how the smaller incidents or lack of understanding negate them. Through the application of the proposed morally acceptable counterinsurgent principles some of the negative effects can be avoided and the insurgency can be defeated more quickly and comprehensively.

CONCLUSION

This paper set out to provide a framework of principles for the conduct of counterinsurgent operations that encompassed the moral and ethical parameters of both current and future operating environments. To achieve this, it has focused on a primarily qualitative analysis of ethics in general and the conduct of counterinsurgency operations.

Within the analysis the paper examined what ethics and morality entailed and then analyzed the components of metaethics. From its initial examination of morality and ethics the paper settled on the definition that: Morals refer to values and beliefs of what is right and wrong, what is good and evil, and what is just and unjust, whilst ethics is the application of these. After analyzing metaethics it settled on Conventionalism Theory to provide a framework to consider moral principles and normative ethics within Western and Non-Western Societies. Within the analysis of Western Society the focus was toward the United States of America, whilst the examination of Non-Western Societies focused on the Islamic culture. From this examination it was evident that although these societies have many differences, they also share many similarities. To develop these further the outputs of the analysis were then compared against the moral norms from such organizations as the United Nations, with their charter and the Universal Declaration of human rights. The end results were then integrated into the work of an anonymous author titled “Ten Commandments for the Third Millennium” to develop the following proposed universal ethical principles:⁷³

1. Respect and worship any deity within your faith tradition, if you follow one. Value and support the right of others to do the same.

⁷³ http://www.religioustolerance.org/chr_10c2.htm, Ten Commandments for the Third Millennium, Dec 2005

2. Enjoy and support legal guarantees of freedom of religious belief, religious practice, assembly and speech for all.
3. Do not use obscene speech in the name of the deities of any religion.
4. Remain true to your faith or traditions whilst respecting those of others.
5. Protect and help those that cannot help or protect themselves, particularly, the very young, the elderly, and the sick, mentally ill, physically disabled, unemployed, and poor.
6. Minimize the harm you do to others and yourself. Treat others, as you would wish to be treated.
7. Do not engage in sexual activity with another person, which is coercive, unsafe, manipulative, public, or outside of a committed monogamous relationship.
8. Do not steal the property of others, except in case of emergency (and then only if you attempt to replace or pay for it later).
9. Do not lie, either in or out of court. Be honest and truthful at all times.
10. Attempt to be satisfied with your current standard of living; do not obsess over the possessions of others; that path leads to unhappiness.
11. Be respectful of the laws of your society and any other that you may have contact with.

The second part of the paper focused on defining what an insurgency was, its principles and what a force should consider when attempting to counter an insurgency. After examining various definitions it was considered that Bard O'Neil's definition of insurgency was the most suitable for the current operation environment.

“Insurgency may be defined as a struggle between a non-ruling group and the ruling authorities in which the non-ruling group consciously uses political resources (e.g.,

*organizational expertise, propaganda, and demonstrations) and violence to destroy, reformulate, or sustain the basis of legitimacy of one or more aspects of politics.”*⁷⁴

After settling on a definition for insurgency, an analysis of an insurgency’s principles was then conducted. To achieve this, the principles for insurgency as detailed in the Australian Army’s counterinsurgency pamphlet were utilized. These principles are: having a cause, effective leadership, popular support, organization, favorable terrain, external support, time and concurrent activity.⁷⁵ These principles were then compared against the counterinsurgent principles of the Australian and British Armies and those of Galula and Nagl to develop the following consolidated list of principles for counterinsurgency operations:

Political primacy and clear holistic aim: Clear direction and primacy of command is essential. In the majority of cases the military will not be in control.

Coordination of all elements of power: Military is only 10% of the solution all elements of power must be employed.

Intelligence: Intelligence is key to the defeat of the insurgents and will primarily involve human intelligence (support of the populace)

Isolate the insurgents from their support and resources: Secure the population areas and access to external support

Defeat the cause of the insurgency not the insurgents: Rectify the issue of the insurgents and their cause become meaningless. Indirect rather than direct approach.

Gain the support of the populace: This remains the centre of gravity, without the support of the populace the insurgency will die.

⁷⁴ Bard O’Neil, “Insurgency and Terrorism”(Virginia: Brassey’s, Inc,1990) 13

⁷⁵ Australian Army, “Land Warfare Doctrine (LWD 3-8-4) Counterinsurgency Operations” (Canberra: Commonwealth of Australia, 1999)1-3 1-5

Develop long term strategies for the Host Nation: Operations are not complete once combat is over, strategies for the economic, political and overall security of the country must be in place.

The consolidated principles for COIN were then amalgamated with the Universal ethical principles to develop a set of counterinsurgency principles that were both effective and morally acceptable on a universal level (table 2). These principles were then applied against the case studies of the Algerian and Malayan insurgencies to confirm their employability. From these comparisons it was determined that had both the French and the British applied these principles they would have not only defeated their respective insurgencies within a shorter timeframe, but they would have conducted a more internationally acceptable operation.

Although the principles outlined above have not been employed in unison during a counterinsurgency operation, they do provide a starting point to improve the conduct of counterinsurgency operations. However, if these principles are at least considered by planners involved in future counterinsurgency operations, it is assessed that their organizations will be more effective and the solutions will be more morally sound. It was not the intention of this paper to provide the “silver bullet” for counterinsurgency operations, but to incorporate counterinsurgency principles with ethical principles to enhance the ability of planners involved in future counter insurgency actions.

APPENDIX 1 PROPOSED UNIVERSAL ETHICS

Western Moral and Ethical Norms				Non Western Moral and Ethical Norms			Current Universal Morals and Ethics	Proposed Universal Normative Moral and Ethics			
Religion	Society	Individuality	United States of America	Religion	Society	Individuality	United Nations				
Ten Commandments Thou shalt have no other gods before me.	Democracy Secular Government	Free Choice	Constitution Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.	Quran Ascribe nothing as equal with God	Five Pillars the profession of faith	Informed by Religion and Society	Charter (Preamble) to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small	Respect and worship any deity within your faith tradition, if you follow one. Value and support the right of others to do the same			
Thou shalt not make graven images	Everyone of legal age has the right to vote		The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly	Be good to your parents	prayer		to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained	Enjoy and support legal guarantees of freedom of religious belief, religious practice, assembly and speech for all			
Thou shalt not use the Lord's name in vain	Governments represent the will of and are answerable to the people		No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger	You shall not kill your children on a plea of want	almsgiving		to promote social progress and better standards of life in larger freedom,	Do not use obscene speech in the name of the deities of any religion			
Remember the Sabbath day, to keep it holy	Human Rights		Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted	You shall not approach lewd behavior whether open or in secret	the fast of Ramadan		to practice tolerance and live together in peace with one another as good neighbors,	Remain true to your faith or traditions whilst respecting those of others			
Honor thy mother and thy father	All people are born free		Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction	You shall not take life, which God has made sacred, except by way of justice and law	pilgrimage		to unite our strength to maintain international peace and security	Protect and help those that cannot help or protect themselves, particularly, the very young, the elderly, and the sick, mentally ill, physically disabled, unemployed, and poor			
Thou shalt not kill	The right to justice and life		The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude	you shall not approach the property of the orphan, except to improve it, until he attains the age of maturity	Tribal Society		to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest	Minimize the harm you do to others and yourself. Treat others as you would wish to be treated			
Thou shalt not commit adultery	The right to free speech			Give full measure and weight, in justice	Tribal traditions/customs		to employ international machinery for the promotion of the economic and social advancement of all peoples	Do not engage in sexual activity with another person, which is coercive, unsafe, manipulative, public, or outside of a committed monogamous relationship			
Thou shalt not steal	The right to defend yourself			no burden should be placed on any soul but that which it can bear	Tribal Hierarchy		Universal Declaration of Human Rights	Do not steal the property of others, except in case of emergency (and then only if you attempt to replace or pay for it later)			
Thou shalt not bear false witness against thy neighbor				if you give your word, do it justice, even if a near relative is concerned and fulfill your obligations before God			Article 1 - 30 (Attached at Annex C)	Do not lie, either in or out of court. Be honest and truthful at all times			
Thou shalt not covet thy neighbor's property				this is my straight path: follow it, and do not follow other paths which will separate you from God's path. Thus does God command you, that you may be righteous."				Attempt to be satisfied with your current standard of living; do not obsess over the possessions of others; that path leads to unhappiness			
								Be respectful of the laws of your society and any other that you may have contact with			

76

⁷⁶ John L. Esposito, "Islam the straight path", 3rd ed (New York: Oxford University Press, 2005) 86-87, http://www.religioustolerance.org/chr_10c2.htm, Ten Commandments for the Third Millennium, Dec 2005, ⁷⁶ <http://www.un.org/Overview/rights.html>, Universal Declaration of Human Rights, 2005, <http://www.un.org/aboutun/charter/> UN Charter Preamble, Dec 2005

APPENDIX 2 COMPARISON OF COIN PRINCIPLES

Comparison of Counterinsurgency Principles				
Australian Army Principles of Counterinsurgency Operations	British Army Principles of Counterinsurgency Operations	Galula's Principles for Counterinsurgency Operations	Nagl's Principles for Counterinsurgency Operations	Proposed Principles for Counterinsurgency Operations
Political Primacy: Political maneuvers are strategic maneuvers and must be supported by sound economic, cultural and social policy.	Political Primacy and Political Aim: Analyze the type of insurgency and formulate long-term political aims supported by a counterinsurgency plan.	In a Selected Area Concentrate forces, establish troops where the people live, interact and control the population, destroy insurgent political organizations, establish elections, test local authorities, educate the leaders and suppress or win over insurgent remnants.	The government must have a clear political aim Clear political aims allow subordinate elements (economic, informational, military) to focus in the one direction and unite the country.	Political primacy and clear holistic aim Clear direction and primacy of command is essential. In the majority of cases the military will not be in control.
Coordination: Unity and coordination of effort: a whole of government approach.	Coordinated Government Machinery: Joint C2 structure that ensures coordination across multiple agencies.	Economy of Forces Establish a main effort and employ raids and patrols to cover secondary areas.	The government must function in accordance with the law Both Local, National and international in order to maintain support and legitimacy.	Coordination of all elements of power Military is only 10% of the solution all elements of power must be employed.
Intelligence: Local knowledge and sound intelligence are prerequisites for success.	Intelligence and Information: Good intelligence is the greatest asset.	Irreversibility Achieved when leaders/populace openly express their support for the counterinsurgent.	The government must have an overall plan The plan needs to include all facets of the operation from termination criteria, to endstate and measures of success for the long term stability of the country.	Intelligence Intelligence is key to the defeat of the insurgents and will primarily involve human intelligence (support of the populace).
Separating the Insurgents from Support: Isolate insurgents through physical separation and a coordinated psychological campaign.	Separating the Insurgent from his Support: Deny insurgents information, logistics, recruits, safe bases and popular support.	Initiative Force the insurgent to react by targeting the population and his resources, not the insurgent himself.	In the guerrilla phase of an insurgency, a government must secure its base areas first Operating from secure bases within the population removes the insurgents support base and allows for these bases to be handed over to local security forces.	Isolate the insurgents from their support and resources Secure the population areas and access to external support.
Neutralizing the Insurgent: Selective destruction in accordance with overall aim.	Neutralizing the Insurgent: Selective destruction of insurgents and their infrastructure.	Full Utilization of Counterinsurgent's Assets Apply administrative, economic, information, propaganda and large military assets where the people are to remove the insurgents fluidity.	The government must give priority for defeating the political subversion, not the guerrillas Target the cause of the insurgency and not the insurgents (indirect approach).	Defeat the cause of the insurgency not the insurgents Rectify the issue of the insurgents and their cause become meaningless. Indirect rather than direct approach.
Long-term Planning: Ultimate aim is removal of the causes of social, cultural, or economic disunity.	Longer Term Post-Insurgency Planning: Long term plans to enhance economic and social aspects to ensure the political causes of the insurgency have been eradicated.	Simplicity Due to the involvement of all assets of power plans must remain simple with clear direction and simple steps and objectives.		Gain the support of the populace This remains the centre of gravity, without the support of the populace the insurgency will die.
		To Command is to Control		Develop long term strategies for the Host Nation
		Empower subordinates, reward success and remove failures.		Operations are not complete once combat is over, strategies for the economic, political and overall security of the country must be in place.

77

⁷⁷ Galula, David. "Counterinsurgency Warfare, Theory and Practice" (New York, Washington, London. Fredrick A. Praeger, 1958), Australian Army, "Land Warfare Doctrine (LWD 3-8-4) Counterinsurgency Operations" (Canberra: Commonwealth of Australia, 1999), John A. Nagl, "Counter Insurgency Lessons from Malaya and Vietnam, Learning to eat soup with a Knife" (Connecticut: Praeger, 2002), British Army. "Army Field Manual Vol 1 Combined Arms Operations, Counterinsurgency Operations" (Britain: Department of Army, 2001)

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